

Kant and Cosmopolitanism

The Philosophical Ideal of World Citizenship

PAULINE KLEINGELD



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KANT AND COSMOPOLITANISM

This is the first comprehensive account of Kant's cosmopolitanism, highlighting its moral, political, legal, economic, cultural, and psychological aspects. Contrasting Kant's views with those of his German contemporaries, and relating them to current debates, Pauline Kleingeld sheds new light on texts that have been hitherto neglected or underestimated. In clear and carefully argued discussions, she shows that Kant's philosophical cosmopolitanism underwent a radical transformation in the mid-1790s and that the resulting theory is philosophically stronger than is usually thought. Using the work of figures such as Fichte, Cloots, Forster, Hegewisch, Wieland, and Novalis, Kleingeld analyzes Kant's arguments regarding the relationship between cosmopolitanism and patriotism, the importance of states, the ideal of an international federation, cultural pluralism, race, global economic justice, and the psychological feasibility of the cosmopolitan ideal. In doing so, she reveals a broad spectrum of positions in cosmopolitan theory that are relevant to current discussions of cosmopolitanism.

PAULINE KLEINGELD is Professor of Philosophy at the University of Groningen, the Netherlands. She is the author of *Fortschritt und Vernunft: Zur Geschichtsphilosophie Kants* (1995) and the editor of *Immanuel Kant, 'Toward Perpetual Peace' and Other Writings on Politics, Peace, and History* (2006).

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Cosmopolitan Patriotism,” *Kant-Studien* 94 (2003): 299–316; “Kantian Patriotism,” *Philosophy and Public Affairs* 29 (2000): 313–41; “Approaching Perpetual Peace: Kant’s Defence of a League of States and his Ideal of a World Federation,” *European Journal of Philosophy* 12 (2004): 304–25; “Defending the Plurality of States: Cloots, Kant, and Rawls,” *Social Theory and Practice* 32 (2006): 559–78; “Kant’s Cosmopolitan Law: World Citizenship for a Global Order,” *Kantian Review* 2 (1998): 72–90; “Kant’s Second Thoughts on Race,” *The Philosophical Quarterly* 57 (2007): 573–92; “Romantic Cosmopolitanism: Novalis’ ‘Christianity or Europe’,” *Journal of the History of Philosophy* 46 (2008): 269–84. I am grateful to the publishers for permission to use materials from these papers for this book.

Abbreviations and main primary texts

WORKS BY KANT

ApH

Anthropologie in pragmatischer Hinsicht, Ak 7 (1798)

Anthropology from a pragmatic point of view

BBM

Bestimmung des Begriffs einer Menschenrasse, Ak 8 (1785)

Determination of the concept of a human race

BSE

Beobachtungen über das Gefühl des Schönen und Erhabenen, Ak 2 (1764)

Observations on the feeling of the beautiful and sublime

DpG

Dohna Vorlesungen über physische Geographie (1792)

Dohna lectures on physical geography

EaD

Das Ende aller Dinge, Ak 8 (1794)

The end of all things

G

Grundlegung zur Metaphysik der Sitten, Ak 4 (1785)

Groundwork for the metaphysics of morals

GTP

Über den Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis, Ak 8 (1793)

On the common saying: This may be correct in theory, but it is of no use in practice

IaG

Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht, Ak 8 (1784)

Idea for a universal history from a cosmopolitan perspective

KdU

Kritik der Urteilskraft, Ak 5 (1790)

Critique of judgment

KpV

Kritik der praktischen Vernunft, Ak 5 (1788)

Critique of practical reason

KrV

Kritik der reinen Vernunft (1781, 1787)

Critique of pure reason

LD

Nachschrift zu Christian Gottlieb Mielckes Littauisch-deutschem und deutsch-littauischem Wörterbuch, Ak 8 (1800)

Postscript to Christian Gottlieb Mielcke's *Lithuanian-German and German-Lithuanian dictionary*

MAM

Mutmaßlicher Anfang der Menschengeschichte, Ak 8 (1786)

Conjectural beginning of human history

MdS

Metaphysik der Sitten, Ak 6 (1797)

Metaphysics of morals

MdS Vig

Metaphysik der Sitten Vigilantius, Ak 27 (1793–94)

Metaphysics of morals Vigilantius

nevT

Von einem neuerdings erhobenen vornehmen Ton in der Philosophie
Ak 8 (1796)

On a recently prominent tone of superiority in philosophy

Ped

Immanuel Kant über Pädagogik, Ak 9 (1803)

Lectures on pedagogy

Phil

Aufsätze, das Philanthropin betreffend, Ak 2 (1776, 1777)

Essays regarding the Philanthropinum

R

Reflexionen aus dem Nachlaß, Ak 14–23

Notes and fragments, unpublished remains

Rel

Religion innerhalb der Grenzen der bloßen Vernunft, Ak 6 (1793)

Religion within the boundaries of mere reason

RezH

Rezensionen von J.G. Herders *Ideen zur Philosophie der Geschichte der Menschheit*. Teil 1 und 2, Ak 8 (1785)

Review of J.G. Herder's *Ideas for the philosophy of the history of humanity, parts 1 and 2*

SdF

Der Streit der Facultäten, Ak 7 (1798)

The conflict of the faculties

TPP

Über den Gebrauch teleologischer Prinzipien in der Philosophie, Ak 8 (1788)

On the use of teleological principles in philosophy

VA

Vorlesungen über Anthropologie, Ak 25

Lectures on anthropology

VRM

Von den verschiedenen Rassen der Menschen, Ak 2 (1775, 1777)

Of the different races of human beings

WiA

Beantwortung der Frage: Was ist Aufklärung? Ak 8 (1784)

An answer to the question: What is enlightenment?

ZeF

Zum ewigen Frieden: Ein philosophischer Entwurf, Ak 8 (1795)

Toward perpetual peace: A philosophical sketch

References are to: *Kants gesammelte Schriften*. Ausgabe der Preussischen (later Deutschen) Akademie der Wissenschaften (Berlin: Georg Reimer, subsequently Walter de Gruyter, 1902–).

Kant's writings are cited by the abbreviated title as indicated above, using the Akademie volume and page numbers. The only exception is the *Critique of Pure Reason*, for which, as is customary, the page numbers of the first (A) and second (B) editions are cited. The Dohna lectures on physical geography are available on <http://kant.bbaw.de/base.htm>.

Translations are my own, but I have made use of the following translations: *Cambridge Edition of the Writings of Immanuel Kant* (Cambridge University Press, 1992–).

Immanuel Kant, *Political Writings*. Edited by Hans Reiss. Translation H. B. Nisbet, 2nd edn. Cambridge University Press, 1993.

Immanuel Kant, *'Toward Perpetual Peace' and Other Writings on Politics, Peace, and History*. Edited and with an introduction by Pauline Kleingeld. Translation David L. Colclasure. With essays by Jeremy Waldron, Michael W. Doyle, and Allen Wood. New Haven: Yale University Press, 2006.

WORKS BY OTHERS

Anacharsis Cloots

References are to: Anacharsis Cloots, *Oeuvres* (Munich: Kraus Reprint, 1980).

Abbreviations

B

Bases constitutionnelles de la république du genre humain (1793)
Constitutional foundation for the republic of the human race

O

L'orateur du genre humain (1791)
The speaker of the human race

RU

La république universelle ou Adresse aux tyrannicides (1792)
The universal republic: Address to the tyrannicides

Johann Gottlieb Fichte

References are to: *Fichte's sämtliche Werke*, ed. Immanuel Hermann Fichte (Berlin: Veit & Comp., later Walter de Gruyter, 1845–46).

Abbreviations

GHS

Der geschloßne Handelsstaat: Ein philosophischer Entwurf als Anhang zur Rechtslehre, und Probe einer künftig zu liefernden Politik (1800)
The closed commercial state: A philosophical sketch as an appendix to the doctrine of right and an example of a future politics

GNR

Grundlage des Naturrechts nach Prinzipien der Wissenschaftslehre (1796)
The foundation of natural right according to the principles of the Wissenschaftslehre

RZeF

Rezension von Kants Zum ewigen Frieden (1796)
Review of Kant's *Toward Perpetual Peace*

Georg Forster

References are to: *Georg Forsters Werke*, ed. Deutsche Akademie der Wissenschaften (Berlin: Akademie Verlag, 1958–).

Abbreviations

LaB

Über lokale und allgemeine Bildung (1791)
On local and general *Bildung*

LkG

Leitfaden zu einer künftigen Geschichte der Menschheit (1789)
Guiding thread to a future history of humankind

MR

Noch etwas über die Menschenrassen (1786)
Something more on the human races

SNA

Vorläufige Schilderung des Nordens von Amerika (1791)
Provisional sketch of North America

VS

Vorrede, Sakontala oder der entscheidende Ring (1791)
Preface to Sakontala or the decisive ring

Dietrich Hermann Hegewisch

References are to the original publications, mentioned below.

Abbreviations

EaM

Über einen in Europa einzuführenden allgemeinen Münzfuß, *Historisch-politisches Magazin* 1 (1787): 211–14

On a common monetary standard, to be introduced in Europe

GH

Über den wahren Grundsatz der Handelsgesetzgebung und über die Vorbereitungsmittel, das Handelsverkehr unter allen Völkern zum möglich höchsten Grade zu erweitern und zu beleben, *Berlinische Monatsschrift* 20 (1792): 502–35

On the true principle of trade legislation, and on the preparatory measures to extend and stimulate commerce among all peoples to the highest possible degree

MS

Welche von den europäischen Nationen hat das Merkantilsystem zuerst vollständig in Ausübung gebracht? *Berlinische Monatsschrift* 20 (1792): 401–13

Which of the European nations was the first to implement the system of mercantilism completely?

NB

Neue Betrachtungen über den nemlichen Gegenstand, in D.H. Hegewisch, *Historische, philosophische und literarische Schriften* (Hamburg: Bohn, 1793), 249–56

New observations on the same subject (that is, the same subject as GH)

WvZ

Über die Wahrscheinlichkeit eines künftigen vollkommern Zustandes der Menschheit, *Deutsches Magazin* 10 (1795): 36–69

On the probability of a future more perfect condition of humankind

Novalis

References are to Novalis, *Schriften*, ed. Paul Kluckhohn and Richard Samuel (Stuttgart: Kohlhammer, 1960). References contain title, volume, page, and fragment number.

Abbreviations

AB

Allgemeines Brouillon
Universal brouillon

Bl

Blüthenstaub (1798)
Pollen

CE

Die Christenheit oder Europa: Ein Fragment (presented 1799, first published in full in 1826)
Christianity or Europe: A fragment

FS

Fichte-Studien
Fichte studies

GL

Glauben und Liebe (1798)
Faith and love

HS

Hemsterhuis Studien
Hemsterhuis studies

LLF

Logologische Fragmente
Logological fragments

TF

Teplitzer Fragmente
Teplitz fragments

VB

Vermischte Bemerkungen
Mixed remarks

Translations are mine, but I have benefited from Frederick Beiser's translations. If the passage referred to is also included in Beiser's edition of *The Early Political Writings of the German Romantics*, the page number in the English translation is added to the reference. Novalis' Fichte Studies are translated in *Novalis: Fichte Studies*, ed. Jane Kneller (Cambridge University Press, 2003) and listed by fragment number.

Christoph Martin Wieland

References to Wieland's work are to: *Wielands Gesammelte Schriften*, ed. Deutsche Kommission der Königlich Preussischen Akademie der Wissenschaften (Berlin: Weidmann, 1909–). Wieland's *Geschichte der Abderiten* has been translated: *History of the Abderites*, trans. Max Dufner (Bethlehem: Lehigh University Press, 1993).

Abbreviations

Abd

Geschichte der Abderiten (1774–80, 1781)

History of the Abderites

BLV

Betrachtungen über die gegenwärtige Lage des Vaterlandes (1793)

Observations on the current situation of our country

GKO

Das Geheimniß des Kosmopoliten-Ordens (1788)

The secret of the order of cosmopolitans

Patr

Über teutschen Patriotismus: Betrachtungen, Fragen und Zweifel (1793)

On German patriotism: Observations, questions, and doubts

PB

Patriotischer Beytrag zu Deutschlands höchstem Flor, veranlaßt durch einen unter diesem Titel im Jahr 1780 im Druck erschienenen Vorschlag eines Ungenannten (1780)

Patriotic contribution to Germany's highest flourishing, occasioned by an anonymous proposal that was published under this title in the year

1780

VAD

Vorrede zu: Allgemeine Damenbibliothek, vol. I (1785)

Preface to the general library for ladies

VHC

Vorrede zu: Schiller, Historischer Calender für Damen für das Jahr 1792 (1791) Preface to Schiller's historical calendar for ladies for the year 1792

Introduction

1 THE COUNTRY OF WORLD CITIZENS

According to Immanuel Kant, Germans are model cosmopolitans. In his *Anthropology from a Pragmatic Point of View* of 1798 he writes that they are hospitable toward foreigners, they easily recognize the merits of other peoples, they are modest in their dealings with others, and they readily learn foreign languages. Finally, “as cosmopolitans,” they are not passionately bound to their fatherland (ApH 7:317–18). Germany “is the country of world citizens” where strangers feel at home (R 15:590).

This description is remarkable not just for its evocation of an intellectual world that was about to be swept away, in the early nineteenth century, by a wave of nationalism. It also paints a picture of the cosmopolitan that is quite different from the image of the rootless traveler often associated with the term. The cosmopolitans Kant describes here do not fit the stereotype of the individualistic citizens of nowhere, who relish their unattached and unencumbered existence, are self-satisfied with their self-styled identity, pick and choose cultural tidbits from many parts of the world, and regard the more rooted mortals around them with unmistakable condescension.

Instead, on Kant’s view, cosmopolitanism is an attitude taken up in acting: an attitude of recognition, respect, openness, interest, beneficence and concern toward other human individuals, cultures, and peoples as members of one global community. One need not travel at all to merit the designation of being a citizen of the world. As his own biography famously illustrated, Kant found the commitment to cosmopolitanism perfectly compatible with spending one’s entire life in one’s home town. He emphasized that Königsberg, with its sea port, university, government offices, and international commercial traffic flow, which facilitated contact with countries with different languages and cultures, was a perfect place “for broadening one’s knowledge of human beings as well as of the world ... also without traveling” (ApH 7:120–21n.). Whether or not Kant’s cosmopolitanism might have benefited from a bit more travel, it is important that, on his conception, the cosmopolitan is not rootless or

unattached. In fact, Kant even goes so far as to claim that cosmopolitans ought to be good patriots.¹

The uprooted variety of world citizenship stands in a tradition that started with the Cynic philosopher Diogenes of Sinope, who is commonly regarded as the father of the term “cosmopolitan.” When he was asked where he came from, he reportedly answered: “I am a citizen of the world.”² With this answer, Diogenes seems to have meant that he did not recognize any special ties to a particular city or state. Denying local affiliations and obligations (more than affirming obligations to the larger whole of humanity), Diogenes endorses a *negative* conception of world citizenship. He defends a personal attitude of extreme individualism and disregard for social conventions. Traveling with his knapsack, clothed in rags, he is the perfect image of the unencumbered, ultra-mobile individual: “Without a city, without a home, without a country / A beggar and a vagabond, living from day to day.”³

Kant’s cosmopolitanism, by contrast, stands more in the tradition of the Stoics, who developed a *positive* conception of world citizenship that differed significantly from the Cynic view.⁴ For the Stoics, cosmopolitanism involved the affirmation of moral obligations toward humans anywhere in the world because they all share in a common rationality, regardless of their different political, religious, and other particular affiliations. The Stoic cosmopolitans held the view that all humans live together “as it were in one state.”⁵ They conceived of this community in moral terms, however, and although some Stoics lived during the era of the Roman Empire, they did not advocate the establishment of world-wide political institutions. They used world citizenship as a metaphor for common membership in a single moral community.⁶ The Stoics regarded such moral world citizenship as compatible with political membership in (and special obligations toward) a particular city or state.

Kant, too, defends a cosmopolitan moral theory, but he takes cosmopolitanism in many other directions as well. In addition to the moral aspect of cosmopolitanism as an attitude in acting, he also develops the political, economic, and cultural dimensions of world citizenship and elaborates the necessary global institutional arrangements for realizing a genuine “cosmopolitan condition.”

Kant was by no means the only one to defend cosmopolitanism in his time, however. In the last quarter of the eighteenth century, many other

authors in the German-speaking world developed philosophical defenses of cosmopolitanism. This discussion started in the 1770s when Christoph Martin Wieland, the editor of the influential journal *Der Teutsche Merkur* and a towering intellectual figure in his day,⁷ revived the ancient philosophical concept of world citizenship. The term was already in use at the time as a synonym for open-mindedness and as an antonym for parochialism. Wieland, however, brushed up its older meaning from antiquity.⁸ He first portrayed Diogenes of Sinope in his 1770 *Socrates Gone Mad: The Dialogues of Diogenes of Sinope*.⁹ A few years later, in his successful series *The Abderites* (1774–80), he introduced and defended a more Stoic-inspired version of cosmopolitanism, which he elaborated in subsequent publications. In the years following Wieland's texts, many other German authors debated the moral, political, economic, and cultural aspects of cosmopolitanism, as well as the possibility of realizing cosmopolitan ideals. In 1788, Wieland credits himself with having inspired widespread interest in cosmopolitanism through his *Abderites* (GKO 15:207).

Although Kant has long been recognized as a major defender of cosmopolitanism, this wider debate has gone largely neglected. Once the nationalist perspective of the nineteenth century took hold, cosmopolitanism was treated with hostility and contempt, and this debate was largely forgotten or denounced. This neglect is regrettable, however, because the German debate reveals a spectrum of possible positions in cosmopolitan theory that is much broader than is generally recognized in today's debates.

In current moral and political philosophy,¹⁰ "cosmopolitanism" is most often equated with the endorsement of the idea that a theory of global justice should address the needs and interests of human individuals directly – regard them as citizens of the world – rather than indirectly, via their membership in different states. Since its origins with the Cynics and Stoics, however, the term has had multiple meanings, and the spectrum has since broadened much beyond the individualist renunciation of particular affiliations or the endorsement of a common bond with all other humans. The range of meanings now includes, in addition to a position on global justice, a particular view of modern identity, a political theory about the proper relations among the states of the world, the view that states should dissolve into a unified world state, and many other views as well, as will become clear in this book. There is no common core of these different

positions that can be captured by a definition containing more than the rather uninformative statement that philosophical cosmopolitanism is the endorsement of some conception of world citizenship. In [Chapter 1](#), I show that even the presumption of the equal moral status of all human beings – often regarded as the lowest common denominator of philosophical cosmopolitanisms – is not a necessary ingredient. Cosmopolitanism employs the idea of world citizenship either literally, in the context of some political theories, or as a structuring metaphor or model, in other philosophical contexts, and this allows for a broad range of positions. Furthermore, the meaning of the term also varies greatly depending on the conception of citizenship involved.^{[11](#)}

2 OVERVIEW OF THIS BOOK

The two-fold aim of this book, in the most general terms, is to provide a comprehensive statement of Kant's cosmopolitan theory and to situate it in relation to other German cosmopolitan conceptions of his time.^{[12](#)} One reason for doing so is to draw attention to this wider spectrum of cosmopolitan positions. Another reason is that despite Kant's stature and his reputation as a cosmopolitan thinker, there is no full-scale philosophical study of the cosmopolitan aspects of his thought.

This book has a number of more specific Kant-related aims as well. As I argue in the chapters to follow, important aspects of Kant's views have been misunderstood. Each of the chapters of this book has at least one interpretive thesis of its own, in addition to the contribution it makes to achieving the book's overall aim. Together, these different theses themselves exhibit a pattern. First, they show that Kant changed his cosmopolitan theory radically during the mid 1790s, much more radically than has been recognized to date. Second, they show that Kant, in his later years, defends a rich conception of cosmopolitanism that is much more coherent than is usually thought.

I have organized the material thematically, rather than chronologically or by author, in order to focus on the philosophical questions at issue. Thus, each chapter of this book thematizes one aspect of Kant's cosmopolitanism in conjunction with selected arguments of some of his contemporaries. In

this way, I hope to showcase some (often largely forgotten) historical figures, while letting their arguments bring into relief the specific features of Kant's thought.

In the [first chapter](#), I discuss the moral cosmopolitanism of Wieland and Kant. I examine the relation between cosmopolitan commitments and particular allegiances. The key question here is whether (and if so, how) one's membership in a cosmopolitan moral community can be reconciled with special obligations stemming from particular relationships. Opponents of cosmopolitanism tend to equate moral cosmopolitanism with the Cynic variety and criticize it for not being able to account for the value of special relationships. Jean-Jacques Rousseau, for example, writes that cosmopolitans "boast that they love everyone [*tout le monde*, which also means 'the whole world'], in order to have the right to love no one."¹³ And the dictionary of the Académie Française defines a cosmopolitan as "he who does not adopt a country," adding, "a cosmopolitan is not a good citizen" (fourth edition, 1762). Similar criticisms are found in the German literary world, for example in the work of Johann Georg Schlosser.¹⁴

Kant and Wieland have different replies to this line of criticism, and they merit attention. Hardly any authors have examined Kant's defense of patriotism in depth, however, and to this day Kantians are said to be unable to defend duties toward one's own country. Wieland, for his part, is often regarded as inconsistent because he defends both cosmopolitanism and patriotism. Contrary to these assessments, I show that there are several ways to combine cosmopolitanism and patriotism, by bringing out the theoretical structure of the – interestingly divergent – arguments that Kant and Wieland present.

Related issues emerge in the discussion of political cosmopolitanism, which I take up in [Chapter 2](#). Whereas in the case of moral cosmopolitanism, the term "world citizenship" is used metaphorically, here it is taken more literally as requiring certain kinds of world-wide political institutions. A core issue for political cosmopolitanism concerns the role and importance of states. It is often asserted that cosmopolitans cannot consistently defend the existence of a plurality of individual states. Some have argued that political cosmopolitans must instead be committed to the ideal of a world state, while others have claimed that there should be an entirely different form of political organization in which states would lose their pivotal role. This set of issues was also discussed in Kant's era. The

most radical eighteenth-century defense of the world state is found in the work of Anacharsis Cloots, a Prussian-nobleman-turned-French-revolutionary-turned-world-citizen. Cloots argues, on the basis of the principles of social contract theory, that genuine cosmopolitanism indeed demands the abolition of all states and the establishment of a “Universal Republic.” Kant, by contrast, advocates the ideal of a federation of states, and this raises the question whether he does so consistently. His theory of peace is often criticized on precisely the point of the status of states. On the most common interpretation, Kant is thought to defend the establishment of a non-coercive league of states on the grounds that the normatively preferable stronger international federation with coercive powers is an unrealistic or dangerous idea; and Kant is then commonly criticized for scaling down his normative ideal to what is feasible in practice. I argue that this widespread interpretation is fundamentally mistaken. Kant has good reasons to resist a Clootsian approach and defend a plurality of (federated) states. Furthermore, the voluntary league should be understood as a first step in a process toward an international federation that is much stronger than a loose league of states. I show that Kant started defending this position only during the mid 1790s, whereas in the earlier decade he defended the establishment of a strong international federation with coercive powers much like a state. Kant’s reasoning behind his advocacy of a voluntary league makes clear that his change of mind was well founded.

In [Chapter 3](#), I turn to Kant’s theory of cosmopolitan right (*Weltbürgerrecht*), which he first introduces in *Toward Perpetual Peace*. Cosmopolitan right,¹⁵ which Kant discusses in terms of a “right to hospitality,” is concerned with the juridical relations between states and foreign individuals (or groups) whom he regards as citizens in a single all-encompassing juridical realm. As such, it provides a necessary complement to Kant’s mid-1790s discussion of the proper relations among states, and it represents an important part of his theory of right. Often read too narrowly as concerned merely with commercial trading relations, cosmopolitan right deals with topics such as colonialism and the rights of refugees, attributing equal juridical standing to humans on every continent.

Kant did not always hold this egalitarian position. As I show in [Chapter 4](#), until the early 1790s he openly and explicitly defended a racial hierarchy according to which “whites” were the only non-deficient race. His 1780s theory of race was forcefully attacked by several of his contemporaries,

most notably by Georg Forster, who had sailed around the world with Captain Cook and who regarded Kant's race theory as empirically mistaken and his racial hierarchy as morally odious. It took Kant until the mid 1790s to change his mind and shift to an egalitarian position on race.

Kant's theory of race and his hierarchical account of the races have not received much careful examination in the literature so far, and the fact that he had second thoughts on race in the mid 1790s has gone entirely unnoticed. A proper understanding of Kant's theory of race, especially of his embrace of a racial hierarchy in the 1780s, sheds new light on his cosmopolitanism of this period, because his racial hierarchy also informs his ideal of the "cosmopolitan condition." Kant's change of mind on race, in the mid 1790s, leads to a more egalitarian and more consistent form of cosmopolitanism that allows him to create more room, within the parameters of morality and right, for cultural diversity. The debate between Kant and Forster also highlights the differences between Kant's and Forster's endorsements of cultural diversity.

In [Chapter 5](#), I discuss cosmopolitanism in relation to economic justice and free trade. I start with a discussion of the views of a champion of free-market cosmopolitanism, Dietrich Hermann Hegewisch. Kant's claim that international trade promotes peace is often read as an implicit defense of the thesis that global trade should be "free" trade. A comparison between Hegewisch's and Kant's views on the issue, however, reveals that this inference is not correct. Rather, Kant's legal and political theory (especially his republicanism, his theory of property, and his defense of state-funded poverty relief) implies that trade should first of all be just, and that it can be "free" trade only within the bounds of justice. Again, Kant's views change during the Critical period (i.e., during the period from the publication of the *Critique of Pure Reason* in 1781 until Kant's death). As late as the *Critique of Judgment*, he highlighted the negative effects of trade, in particular what he saw as its debasing effect on a people's manner of thinking. A few years later, in *Toward Perpetual Peace*, he foregrounds the productive role of trade in approaching a condition of peace.

In the [sixth chapter](#), I discuss Kant's account of the feasibility of the cosmopolitan ideal. Cosmopolitans are often criticized for being "unrealistic," and Kant is no exception. For example, key figures in Romantic cosmopolitanism, such as Novalis and Friedrich Schlegel, criticized Kant for relying on enlightened self-interest as conducive to

peace and for disregarding the importance of feelings. They developed an alternative cosmopolitan ideal that revolved around the emotional and spiritual unity of humankind. By contrasting their views with Kant's, I show how Kant conceived of the emergence of cosmopolitan attitudes and moral dispositions. Kant incorporated the natural affective dimensions of human motivation into his cosmopolitan approach, as essential components of his account of the practicability of the moral cosmopolitan ideal.

In this way, the first six chapters show that Kant's philosophical cosmopolitanism underwent a number of interrelated and radical transformations in the mid 1790s. Furthermore, they show that, in its final form, Kant's cosmopolitan moral and political theory includes an account of the fundamental importance of particular affiliations, by defending, among other things, the importance of states, patriotism (of a specific kind), and cultural diversity. Third, the wider eighteenth-century German discussion of Kant's time reveals a spectrum of possible positions in cosmopolitan theory that is much broader than is often recognized in debates carried on under the banner of "cosmopolitanism" today.

In [Chapter 7](#), I discuss the relevance of these results for current philosophical discussions, such as debates over the compatibility of cosmopolitanism and patriotism, the philosophical justification of a plurality of states, global economic justice, or the continuing impact of the history of racism and colonialism in cosmopolitan political theory.

3 A FEW WORDS ON THE HISTORICAL AND POLITICAL CONTEXT

In writing this book, I faced several difficult decisions about what to include. Providing a complete historical overview of the entire late eighteenth-century German debate about cosmopolitanism might have filled in an important gap in the intellectual history of this period, but the wealth of historical details would have crowded out discussion of the philosophical arguments. Instead, I have chosen to focus in more detail on Kant's cosmopolitanism and the arguments of a select number of his contemporaries. Much additional work on the history of this philosophical debate remains to be done.^{[16](#)}

Although my focus is not on the historical political and cultural context of this debate, a few brief remarks on this context are in order. The main texts discussed in this book were written during the last quarter of the eighteenth century. The historical context of the increasing prominence of cosmopolitanism during this time is complex, but an important political circumstance was without doubt the fact that the “Holy Roman Empire of the German Nation” was in a state of crisis. It was a heterogeneous amalgam of more than 300 sovereign territories and close to 1,500 *Ritterschaften*, half-autonomous regions, and independent cities, with entities varying from tiny units like Wieland’s native town, the free city of Biberach with its 4,000 inhabitants, to large and powerful states like Austria and Prussia (and, further complicating matters, part of Prussia fell outside the Holy Roman Empire). Moreover, the German linguistic community and the political entity known as the Holy Roman Empire by no means mapped onto each other.¹⁷ The German-language intellectual community extended beyond the borders of the Holy Roman Empire and included not just the rest of Prussia, but also parts of Switzerland and Denmark, and these territories also included other languages. This complex situation provided ample occasion for debates about the pros and cons of various kinds of (cosmo) political organization, especially in comparison with the situation in France and Great Britain.

Another important political factor is that many of the German-speaking territories pursued active immigration policies on a massive scale. Prussia, for example, admitted political and religious refugees by the tens of thousands, as well as large numbers of people hoping to escape poverty, and it complemented this policy with laws requiring toleration.

Finally, there was a lively debate about the merits of the Germanic cultural heritage, which German intellectuals widely viewed as inferior to French and British culture. Indeed, even the King of Prussia, Frederick the Great, wrote a book – in French – arguing that German literature did not amount to much.¹⁸ Many cosmopolitan authors saw a silver lining in the absence of a strong German national culture, however, arguing that it enabled them to appreciate the cultural achievements of others without being blinded by nationalist bias. There was a steady stream of translations of “world literature” and a thirst, among the literate public, for knowledge about the cultures of peoples outside Europe.

Over the course of the 1790s, more and more authors (including, as we shall see, Kant) began to value cosmopolitanism itself as a specific part of the “German character.” What was first seen as the *absence* of a German character became cherished as its *hallmark*, which, in a striking dialectical twist, re-emerged in the early nineteenth century as a basis for nationalist claims to German superiority. But from then on, German philosophical cosmopolitanism started to wane, and the French conquests caused a rapid ascent of German nationalism.

The debate about cosmopolitanism should not be seen merely in the light of the German political and cultural situation at the time, of course. For one thing, the idea of world citizenship has much older roots. As mentioned above, the history of philosophical cosmopolitanism, with its roots in Greek and Roman antiquity, resonates in the writings of the authors discussed here. The same is true for the Christian ideal of a religious community comprising all humans. The ideal of a spiritual unity of humankind was expressed both in theological doctrines and in the practice of missionary organizations that fanned out across the globe, and it was reflected in German conceptions of cosmopolitanism as well. Conceptions of cosmopolitanism defended outside of the German linguistic community had their influence as well, especially in France during the early years after the revolution and the “Declaration of the Rights of Man and Citizen.” For example, foreign authors (“all thinkers of the earth”) were invited to comment or collaborate on the project of developing a new constitution, and in 1791, Jews were admitted to French citizenship. In 1792, a law was passed to grant citizenship to foreign authors supportive of the revolution in order that they could be elected as deputies to the National Convention, and several foreigners were indeed elected, including Joseph Priestley (who declined), Thomas Paine,^{[19](#)} and Anacharsis Cloots.^{[20](#)} Finally, in late eighteenth-century Germany, and throughout Europe, there was much discussion of the activities of Europeans on other continents. Reports about slavery, the slave trade, and other forms of injustice provoked debate and activism on the part of some. Other authors focused on the question of how world-wide trade could be reformed so as to increase the standard of living of humans everywhere on earth and make trade conducive to world-wide peace.

Within this broader historical context, the specific situation in the German-speaking world during the final quarter of the eighteenth century

made it particularly productive for the development of cosmopolitan theories. The combination of the complicated political situation and the self-conception among the literate public as being particularly open to other cultures provided a singularly fertile ground for the defense of different conceptions of world citizenship.

The nineteenth-century rise of German nationalism has influenced the study and the perception of the preceding cosmopolitan discussion. From a nationalist perspective, there is little motivation to study the history of German cosmopolitan theory, except a polemical one, as for example in the works of Friedrich Meinecke and Edmund Pfleiderer.²¹ Moreover, these authors tended to characterize eighteenth-century German cosmopolitanism contemptuously as an escapist compensatory move. They regarded it as an affliction of isolated intellectuals suffering from an inferiority complex, who attempted to present their weakness (that is, their lack of a strong national culture) as a strength. This psychologizing interpretation has outlasted its nationalist creators, and its traces can still be found in the current literature.²² I doubt that Kant is best described as an isolated intellectual with an inferiority complex. More importantly, however, the arguments of Kant and other eighteenth-century German cosmopolitans deserve to be taken seriously and not to be side-stepped on the non-philosophical grounds of speculative armchair psychology.²³

¹ See [Chapter 1](#).

² Diogenes Laertius, *Lives of Eminent Philosophers*, 6:63, ed. and trans. Robert Drew Hicks (Cambridge: Harvard University Press, [1925](#)).

³ *Ibid.*, 6:38, cited by Diogenes Laertius. Diogenes of Sinope is said to have declared that this statement applied to himself.

⁴ On Kant and Stoic cosmopolitanism, see Martha C. Nussbaum, “Kant and Stoic Cosmopolitanism,” *Journal of Political Philosophy* 5 ([1997](#)): 1–25.

⁵ Marcus Antoninus, *The Meditations of the Emperor Marcus Antoninus*, ed. and trans. A. S. L. Farquharson (Oxford: Clarendon, [1944](#)), iv.4.

⁶ See Eric Brown, *Stoic Cosmopolitanism* (Cambridge University Press, [forthcoming](#)) for a discussion of the different versions of

Stoic cosmopolitanism.

- [7](#) Kant, in his discussion of genius in the *Critique of Judgment*, mentions Wieland next to Homer (KdU 5:309).
- [8](#) This is not to deny that there were important cosmopolitan elements in earlier writings. For discussions of Christian Wolff (1679–1754) and Emerich de Vattel (1714–67), see Francis Cheneval, *Philosophie in weltbürgerlicher Bedeutung: Über die Entstehung und die philosophischen Grundlagen des supranationalen und kosmopolitischen Denkens der Moderne* (Basel: Schwabe, [2002](#)) and Georg Cavallar, *Imperfect Cosmopolis* (Aberystwyth: University of Wales Press, [2011](#)).
- [9](#) *Socrates mainomenos, oder die Dialogen des Diogenes von Sinope*. Later editions appeared under the neutral title, *Unpublished Work of Diogenes of Sinope (Nachlaß des Diogenes von Sinope)*, 8: 220–314.
- [10](#) My focus is on the philosophical debates. Outside of philosophy, there is also an extensive literature on cosmopolitanism, especially in areas such as history, literature, and the social sciences. To mention just two examples from the latter: Ulrich Beck and Natan Sznaider, “Unpacking Cosmopolitanism for the Social Sciences: A Research Agenda,” in Beck and Sznaider (eds.), special issue Cosmopolitanism, *British Journal of Sociology* 57 ([2006](#)): 1–23; Steven Vertovec and Robin Cohen (eds.), *Conceiving Cosmopolitanism: Theory, Context, and Practice* (Oxford University Press, [2002](#)).
- [11](#) I return to the issue of defining cosmopolitanism in [Chapter 7](#).
- [12](#) The term “German” here refers primarily to authors who wrote in German or who lived or were born in German-language territory. A precise demarcation of this group is neither possible nor desirable for the purposes of this study, given the complex political situation and the fact that the linguistic community did not map onto a political community. Indeed, some of the authors here included would not identify themselves as Germans. This is most clearly the case for the Prussian-born migrant “citizen of the world” Anacharsis Cloots; see [Chapter 2](#).

- [13](#) Jean-Jacques Rousseau, *Du Contrat Social*, Manuscrit de Genève. In *Oeuvres complètes*, eds. Bernard Gagnebin and Marcel Raymond (Paris: Gallimard, [1964](#)), 3:287. Cf. *Émile ou de l'Éducation*, in *Oeuvres complètes*, 3:21.
- [14](#) Johann Georg Schlosser, “Der Kosmopolit,” in “Politische Fragmente,” *Deutsches Museum* 1777/I, 106.
- [15](#) The term *Recht* is notoriously difficult to translate because of the structural differences between the juridical systems predominant in the German- and English-speaking worlds. I use “right” as a translation, which may sound unfamiliar in places but which may thereby also serve to draw attention to these differences.
- [16](#) But see, for much excellent work in this larger area, Frederick C. Beiser, *Enlightenment, Revolution, and Romanticism: The Genesis of Modern German Political Thought 1790–1800* (Cambridge, MA: Harvard University Press, [1992](#)); Cavallar, *Imperfect Cosmopolis*; Cheneval, *Philosophie in weltbürgerlicher Bedeutung*; Sankar Muthu, *Enlightenment Against Empire* (Princeton University Press, [2003](#)); Thomas Schlereth, *The Cosmopolitan Ideal in Enlightenment Thought: Its Form and Function in the Ideas of Franklin, Hume, and Voltaire, 1694–1790* (University of Notre Dame Press, [1977](#)). A very useful collection of texts is the edition by Anita and Walter Dietze, eds., *Ewiger Friede? Dokumente einer deutschen Diskussion um 1800* (Leipzig and Weimar: Kiepenheuer, [1989](#)).
- [17](#) Cf. Terry Pinkard’s instructive discussion of “Germany” in Terry Pinkard, *German Philosophy 1760–1860: The Legacy of Idealism* (Cambridge University Press, [2002](#)), 1–15.
- [18](#) Ludwig Geiger, ed., *De la littérature Allemande (1780) von Friedrich dem Grossen* (Berlin: Behr, [1902](#)) (orig. Berlin: Decker, 1780).
- [19](#) See, on Paine’s own cosmopolitanism, Thomas C. Walker, “The Forgotten Prophet: Tom Paine’s Cosmopolitanism and International Relations,” *International Studies Quarterly* 44 ([2000](#)): 51–72.

- [20](#) On cosmopolitanism in several French Enlightenment authors, especially Denis Diderot and the Marquis de Condorcet, see Muthu, *Enlightenment Against Empire*.
- [21](#) Friedrich Meinecke, *Weltbürgertum und Nationalstaat: Studien zur Genesis des deutschen Nationalstaates* (Munich: Oldenbourg, 1928⁷, 1907¹) (English: *Cosmopolitanism and the National State*, trans. Robert B. Kimber (Princeton University Press, [1970](#))); Edmund Pfleiderer, *Kosmopolitismus und Patriotismus* (Berlin: Habel, [1874](#)).
- [22](#) See, e.g., Irmtraut Sahmland, *Christoph Martin Wieland und die deutsche Nation: Zwischen Patriotismus, Kosmopolitismus und Griechentum* (Tübingen: Max Niemeyer Verlag, [1990](#)), 268–72.
- [23](#) Frederick C. Beiser has done much to disprove the older prejudices regarding eighteenth-century German political theory, with his ground-breaking study, *Enlightenment, Revolution, and Romanticism*. See also, more recently, but with a mostly literary focus: Andrea Albrecht, *Kosmopolitismus: Weltbürgerdiskurse in Literatur, Philosophie und Publizistik um 1800* (Berlin: Walter De Gruyter, [2005](#)).

Chapter 1 Kant and Wieland on moral cosmopolitanism and patriotism

1 INTRODUCTION

In 1772 a group of Göttingen University students with literary aspirations and a shared admiration for the ancient Germanic tribes came together – first under an oak tree, then in a room richly decorated with oak branches. They toasted the death of Christoph Martin Wieland (1733–1813), who was one of the most influential German authors at that time. They tore his books to pieces, danced on the pages, and then burned the shreds together with a portrait of the much-hated Wieland.

What had Wieland done? The group accused him of admiring ancient Greek and Roman literature. They saw him as the symbol of the degeneration of the German soul: he was too rationalist, too focused on literary style, and too frivolous – he even wrote texts that were intended to be comical. He was not *deep*, not *serious* enough. The group insisted that German authors should let themselves be inspired by the Germanic past and treat more worthy subjects such as fatherland, feeling, virtue, and great heroic deeds, which could then form the basis for genuine Germanic bard songs.¹

Wieland cheerfully took up the gauntlet and published – among other things – an essay in which he made jokes about the positive effects of eating acorns.² He also wrote a parody, under the pseudonym Teutobold von AltEich, in which he developed a so-called patriotic plan to bring Germany to a higher cultural, economic, and political level.³

In Wieland's eyes, it was foolish and dangerous to look exclusively to the cultural past of one's own ancestors if there were superior cultural paradigms available elsewhere. Only people with blinkers on could maintain that the Germanic legacy was best of all. The Greeks and Romans, as well as the French, he judged, had reached a much higher level of cultural development than the old Germanic tribes (PB 14:268–80).

Wieland went on to introduce the philosophical idea of cosmopolitanism into the German discussion, with explicit references to Greek and Roman antiquity.⁴ He did so in a series of satirical stories about the fictional foolish inhabitants of Abdera, *The Abderites* (*Die Abderiten*), which appeared in the journal *Der Teutsche Merkur* between 1774 and 1780 and were published as a book in 1781.⁵ In later essays he expanded his account of cosmopolitanism, claiming that *The Abderites* had drawn “general attention” to the concept and that his readers wished to learn more about it (GKO 15:207).

Wieland’s use of the concept of world citizenship was indeed influential, and as more and more people discussed and defended it, different conceptions of cosmopolitanism emerged. Kant’s notion of world citizenship, for one, looks very different from Wieland’s. A comparison between their views highlights important philosophical issues regarding the content of the concept. In order to assess what their cosmopolitanism entails and how they defend it, it is important to discuss their answers to a number of questions and objections.

In this chapter, I first present Wieland’s conception of world citizenship and then highlight the differences with Kant’s moral cosmopolitanism. Whereas Wieland defended an elitist form of cosmopolitanism, stressing a distinction between sages (genuine world citizens, *Weltbürger*) and the foolish masses (mere “world inhabitants,” *Weltbewohner*), Kant gave the ideal a more egalitarian interpretation. The “moral world” in the *Critique of Pure Reason* and the *Critique of Judgment*, the “realm of ends” in the *Groundwork of the Metaphysics of Morals*, and the “ethical commonwealth” in the *Religion within the Boundaries of Mere Reason* are ideal cosmopolitan moral communities in which all subjects are equal members (“citizens”), regardless of nationality, religion, language, and so on.

Both Wieland and Kant stress the importance of patriotism, and both face strong criticism regarding the relation between their cosmopolitanism and their account of world citizens’ attitude toward their own state. Wieland wrote a parody of the oak-leaf enthusiasts, but he is also the author of a well-known essay in which he called for German patriotism. Kant, father of the ideal of an international federation of states and defender of a robust notion of human rights that transcends national borders, also wrote that

cosmopolitans have a duty to be patriotic. Many of their readers have found it impossible to reconcile these views.

In this chapter I argue that a better understanding of their notions of cosmopolitanism and patriotism will enable us to see how both Wieland and Kant succeed in reconciling the two. Cosmopolitanism and patriotism are indeed compatible, and showing why this is so will give sharper contours to the philosophical commitments entailed by their cosmopolitan positions.

2 MORAL COSMOPOLITANISM IN THE WORKS OF WIELAND AND KANT

The main figure in *The Abderites* is Democritus of Abdera, whom Wieland casts as a sage with a number of Stoic traits. Democritus returns to the city, after having traveled around the world for several decades. He is a “citizen of the world,” a “friend of humankind in the true sense,” who attempts to do good wherever he goes, without regard for political affiliations.⁶ In contrast to Diogenes the Cynic, whose cosmopolitanism mainly consists in the denial of local affiliations and obligations, Wieland’s Democritus believes that he has a special duty toward his own city of origin. He believes, for example, that he has a duty to let his fellow citizens share in what he has learned during his absence. Due to their incurable stupidity all his well-meaning attempts end in hilarious failure, prompting the Abderites to clamp down on foreign travel; but Democritus is not to blame.

In later work, Wieland further develops the theme of cosmopolitanism. Time and again, he characterizes it as the impartial and unprejudiced pursuit of the good. Thus, he writes:

The cosmopolitans carry the designation *citizens of the world* in the most authentic and eminent sense. They regard *all peoples* on earth as just so many *branches of a single family*, and the *universe* as a *state*, in which [the cosmopolitans] are *citizens*, together with innumerable other rational beings, in order to promote the perfection of the *whole*, under general natural laws, while every [rational being] is active, in its own specific way, on behalf of its own well-being. (GKO 15:212–13)

The orientation toward one's own "well-being" (*Wohlstand*) should be understood in a Stoic, not a hedonistic sense. The well-being pursued by the sages is their own moral perfection which benefits the entire cosmos and its inhabitants.⁷ They pursue the good, and in doing so their scope is the entire world.

In the quoted passage, the cosmopolitans are said to "regard" the world as a state; it is not literally a state, nor should it become one. Wieland's cosmopolitanism is not a call for world-wide political institutions. Rather, the cosmopolitan community is an "invisible society" (GKO 15:207). Cosmopolitanism is a moral ideal: world citizens have a duty to promote the perfection of the entire human community. The world is regarded as one community in the sense that individual cosmopolitans recognize their common bond and their common duty across and independently from particular political or national affiliations. When Democritus meets a fellow sage from elsewhere, the two instantaneously sense a deep connection (Abd 2.6, 10:110–13).

According to Wieland (and many Stoics), however, none of this implies that all human beings (or all rational beings) are citizens of the world. There are *world citizens* and there are mere *world inhabitants*, he states (GKO 15:214). Only sages are world citizens in the full sense; the foolish masses are not (GKO 15:210–11, 214). The second group has a lower status as a matter of ability, not merely as a result of defective upbringing. But the scope of the sages' beneficence is the entire community of all rational beings, including the world inhabitants. In this regard they act without prejudice, without discriminating on the basis of nationality, religion, race, or, to some degree, even gender. Wieland's version of cosmopolitanism is elitist, and already in his own age he was criticized for treating "the masses" with contempt.⁸ But it is a kind of cosmopolitanism, because he uses the metaphor of world citizenship to emphasize the bond that unites all humans and the duty of world citizens toward all humans equally and toward humanity as a whole.

Kant objected to Wieland's elitism and gave cosmopolitanism a more egalitarian interpretation by attributing the status of world citizen to all humans. After Rousseau "put him straight," as Kant wrote in his own copy of his *Observations on the Feeling of the Beautiful and the Sublime*, he dropped his earlier disdain for "the most common laborer" (R 20:44). Kant designated all humans, qua rational beings, as fellow citizens of a shared

moral world. In the *Critique of Pure Reason* he speaks of the idea of a “moral world,” in the context of his discussion of the highest good, as the systematic union of rational beings under common laws (KrV A808/B836). In the *Groundwork*, we find the notion of the “realm of ends” (*Reich der Zwecke*) which also clearly expresses the polis metaphor and amounts to a moral cosmopolis (G 4:433–36). Kant describes the realm of ends in similar terms as the first Critique’s moral world, as a “systematic union of different rational beings through common laws” (G 4:433), but he now adds the notion of collective self-legislation (G 4:431–34). It is the world that would be realized through moral action if agents universally obeyed the Categorical Imperative (G 4:438).⁹ In *Religion*, Kant further introduces the idea of an “ethical commonwealth” (*ethisches Gemeinwesen*) under moral laws (Rel 6:98). There are subtle differences between these various ideas, but their common core is that all rational beings are conceived (and should conceive of themselves) as fellow citizens in a moral community that transcends all other communities, and that all are united into this community by common laws. With this conception of oneself and others as fellow agents in a shared moral world, moral agents move beyond regarding the moral law merely as the principle for their own actions, because it is at the same time regarded as the principle that constitutes a moral community, a moral cosmopolis (see also [Chapter 6](#)).

According to Kant, this moral community is a community of equals. This means not only that all moral persons are the potential *object* of cosmopolitan activity, but also that they are all equally cosmopolitan *subjects*, which is to say that all are fellow citizens and ought to treat each other as such. This is a clear contrast with Wieland’s distinction between the sages and the foolish masses.

It should be added straightaway, however, that Kant does not always follow his own egalitarian theory in practice. There is some irony in the fact that Wieland, despite his inegalitarian bent, is more critical of sexism and racism than Kant. Wieland’s distinction between world inhabitants and world citizens does not map onto a distinction between, say, different sexes, races, or peoples. Wieland regards women as intellectually equal to men and argues that the enlightenment of women ought not to fall behind that of men (VAD 23:75). Moreover, in *The Abderites*, he criticizes the racially biased aesthetics of his contemporaries through the figure of Gulleru, Democritus’ beautiful black friend, although he stops short of casting her as

a fellow sage (Abd 1.4–1.6, 10:34–48). Kant, by contrast, defends a hierarchical account of human “races” until the 1790s and never gives up his view that women are naturally inferior to men. I shall discuss Kant’s views on race in more detail in [Chapter 4](#), arguing that Kant’s pronouncements are inconsistent with the main principles of his own moral egalitarianism. Despite Kant’s inconsistencies, however, it remains important to recognize the *theoretical* difference between the elitist and egalitarian conceptions of cosmopolitanism.

Related to the difference between Wieland’s elitist and Kant’s egalitarian theory is a difference in their views on determining how one ought to act. In accordance with his understanding of the special wisdom of sages, Wieland does not conceive of morality as providing a blueprint for action or a set of principles readily available to anyone. Rather, morality requires discerning what is rational and in accordance with nature in the Stoic sense (GKO 15:212–13), which is an ability given only to a few. Accordingly, Wieland is quite general in his description of what is morally required of the cosmopolitan. He mentions virtues such as prudence, steadfastness, frankness, and persistence, and he claims that reason commands “moderation in all things” (GKO 15:219). On his view, the hard question of what exactly those virtues require in practice is not one that can be answered, however. Nor does it need answering. Sages know the answer of their own accord, and the rest of humanity is too foolish to understand it.

Kant’s theoretical egalitarianism, by contrast, is bound up with the view that all rational beings have insight into the basic principle of morality, namely, the Categorical Imperative. All ordinary human beings are able to discern right from wrong, and their understanding of what is morally demanded is fundamentally correct, even if it may lack precision and clarity. In fact, on Kant’s view, if there is confusion on this count, it is more likely to be caused by philosophers than by the common people. Kant, then, rejects the moral paternalism implicit in Wieland’s cosmopolitanism, according to which the sages discern what is best for the “world inhabitants” and benefit them accordingly. Kant, too, regards promoting the well-being of others as a duty. But instead of doing so in accordance with one’s own view of the good, one should respect others as moral agents in their own right. This entails that one let oneself be guided by *their* ends, provided these ends are morally defensible (e.g., one should not help

another commit a crime), and one should take care that one not help others in a way that is humiliating or paternalistic (e.g., MdS 6:388, 448, 453).

3 THE ALLEGED INCOMPATIBILITY OF COSMOPOLITANISM AND PATRIOTISM

Despite their different ways of elaborating the moral cosmopolitan ideal, Kant and Wieland agree that rootless vagabondism is not part of it. As mentioned in the Introduction, Kant believes that one could be a world citizen in the full sense of the term and never leave one's home town (cf. ApH 7:120–21n.). Moreover, he agrees with Wieland that world citizenship is compatible with loyalty and special duties toward particular groups, such as one's own state or one's own family. Kant even goes so far as to say that patriotism is a cosmopolitan duty.

This combination of cosmopolitanism and patriotism usually goes unnoticed in the literature and, when it is observed, it is often interpreted as inconsistency. Many critics claim that cosmopolitanism is not able to do justice to the special personal ties between people and to the special obligations that are connected with these relationships. Cosmopolitanism, so their assumption goes, requires an attitude according to which we treat our own circle (family, friends, fellow citizens, etc.) no differently than strangers elsewhere in the world. If all humans, as moral persons, belong to a moral community that transcends national boundaries, compatriots and foreigners ought to be treated alike (at least as far as morality is concerned). On this assumption, it is then further claimed that cosmopolitanism condemns one to acting as a citizen of nowhere. The cosmopolitan ought to promote justice in general, everywhere and anywhere, without being allowed to act as a citizen of a particular country, let alone as a patriot – or so it is argued. This alleged result is often thought to constitute a *reductio ad absurdum* of cosmopolitanism, or in any event a strong reason against it.

On the assumption that patriotism and cosmopolitanism are mutually exclusive, Wieland is criticized for being inconsistent. One leading commentator claims that “he never squared his cosmopolitanism with his patriotism,”¹⁰ and another asserts that Wieland keeps dithering between cosmopolitanism and patriotism, seemingly incapable of making up his mind, and ending up with a position that is profoundly inconsistent.¹¹

Similar accusations would probably be leveled against Kant if his defense of patriotism were better known. His patriotism is hardly thematized in the literature, however. Indeed, it is often thought that it cannot exist. Kant is criticized not for being inconsistent, but for defending a form of cosmopolitanism that makes it impossible to defend any form of *special* allegiance toward one's own *particular* country. This type of criticism has been made famous by Bernard Williams' "one thought too many" argument in relation to personal attachments. Below, I discuss a related criticism that concerns the allegiance to one's own state, as formulated by John Simmons.

Against such criticisms, I hope to show that Kant and Wieland in fact offer two distinct strategies for defending patriotism without betraying cosmopolitan principles. Of course, much depends on what "patriotism" means in this context, and what is left of cosmopolitanism when the world citizen is also a patriot.

Before delving into the details, therefore, I would like to highlight a few features that Kant's and Wieland's conceptions of patriotism have in common and that set their understanding of the term off from the meaning it later received under the influence of nationalism. First, as I will explain below, their versions of patriotism are, each in its own way, essentially connected to a *just political system*, not to a cultural or ethnic community or a people in the nationalist sense. Furthermore, their patriotism does not imply any comparative claim to the effect that one's own state is *better* than other similarly just states. They make no such statements, and no such claims are implied in their positions. Also, the kind of patriotism defended by Wieland and Kant does not require that one refrain from criticizing one's own country. For them, as for many eighteenth-century authors, the *criticism* of political wrongs could count as a patriotic contribution, because it aims at the improvement of one's country by advocating reforms. Finally, the kind of patriotism they defend does not preclude emigration, immigration, or naturalization. Neither Wieland nor Kant held that one's "patria" had to be the country of one's birth.

These features are central to the success of Wieland's and Kant's ways of reconciling cosmopolitanism with patriotism, but they may provoke, in some readers, the impression that what they defend is not "real" patriotism. After all, many people currently regard patriotism as entailing an unconditional loyalty toward one's own state regardless of its qualities, or as involving a "thick" cultural or national community, rather than a

connection with a particular kind of political system. This might make Wieland's and Kant's conceptions of patriotism look contrived, as having been put on a Procrustean bed to fit their cosmopolitanism, and as bleeding to death as a result.

In order to counter this impression, I would like to point out that the concept of patriotism did not always bear its current connotations. There is a much older understanding of the term that predates nineteenth-century nationalism and its appropriation of the language of patriotism. In other words, the objection that something is "missing" in the eighteenth-century conceptions of patriotism discussed below is premised on a more recent, and still prevalent, notion of patriotism.

In the older tradition of republicanism, patriotism is the citizens' commitment to or love for their shared political freedom and the institutions that sustain it. This commitment manifests itself in civic activity on behalf of the political commonwealth and its members. Because of this, "patriotism" became synonymous with "public spiritedness" and commitment to the common good of the country and its inhabitants.¹² In this latter sense, the term could also be used by authors who did not endorse republicanism but whose "love of country" stemmed from an appreciation of specific qualities of the country or its inhabitants.¹³

In the nineteenth century, patriotism was increasingly interpreted in a different, nationalist manner, often associated with unconditional loyalty to one's own national community (taken as a linguistic and/or cultural community).¹⁴ In the process, the older republican meaning receded from view, so much so that current readers may have trouble recognizing eighteenth-century conceptions of patriotism as "genuine" forms of patriotism because they feel that there is something missing which they regard as essential to it.

As is the case with cosmopolitanism, there is little value in quarrelling over the question whether the older or the newer conception represents the "real meaning" of patriotism. Words often accrue new meanings over time, and the best way to deal with that very common phenomenon is to distinguish between the different meanings when relevant. In this case, it means distinguishing the currently dominant nationalist understanding of patriotism from other versions of patriotism with older ancestry.

Whether the currently dominant understanding of the word is a reason to avoid using it in its older meaning, or whether the older meaning is worth

retrieving exactly in order to show that the emphasis on the special connection between citizens and their own countries is not unique to nationalisms is a question I do not pursue here. What is important for the purposes of this book is that on Wieland's and Kant's understanding of the term, it can be used to capture the special allegiance of world citizens toward their own particular country.

4 WIELAND'S DEFENSE OF COSMOPOLITANISM AND PATRIOTISM

Wieland contends that the principles and convictions of world citizens justify their benevolent attitude toward the political community of which they are members. In other words: on his view it is possible to defend, on the basis of cosmopolitan principles, a certain benevolence toward one's own socio-political group. But, he adds immediately, the cosmopolitan principles also determine the proper limits of this beneficence.¹⁵ For although world citizens wish the best for their own country, they also wish the best for all others, and that means that they are not allowed to promote the well-being, the reputation, and the expansion of their own country by undue preferential treatment of their own state or by oppressing others (GKO 15:217–18).

What Wieland claims here is that world citizens know that they cannot help *all* humans but that they ought to do good somewhere. Given this situation, one is allowed to benefit one's own group under certain conditions. Suppose, for the sake of argument, there are ten countries with people in need, and one's own country is one of them. It is not wrong, in that case, to help people in one of those other countries, because the cosmopolitan wishes the best for all humans. But it may be best to work in one's own country, for example when this is the only place where one can be effective. And when one directs one's beneficence toward one's compatriots, this is not unjust toward other people elsewhere, as long as one does not oppress them or give undue preferential treatment to one's own group (as when, for example, one's own group does not really need help).

But how does Wieland get from this position to the defense of patriotism? After all, if one's beneficent action is directed toward one's own country because this is the most efficient, the focus on one's own country would be

accidental, as it were. One's help would not be motivated by "love of country" and so would not qualify as patriotic.

In order to understand Wieland's position correctly, it is important to see, first of all, that there are two kinds of patriotism that he rejects. As we saw at the beginning of this chapter, he rejects *nationalist* patriotism, particularly the nationalism that extols the German people as a cultural unity with a shared Germanic heritage, because he regards this as both empirically fictitious and dogmatic. Second, he also rejects *militant republican* patriotism. He condemns the so-called "Roman" form of patriotism, by which he means the attitude of "republican enthusiasts" such as Brutus and Cassius (who killed Caesar after he had been given the title of "dictator in perpetuity") and Milton (who defended the decapitation of Charles I) (GKO 15:219). In keeping with his elitism and his contempt for "the foolish masses," Wieland defends political paternalism and believes that most people do not have the necessary abilities to qualify for political participation. Hence he strongly rejects republicanism in general,¹⁶ and abhors still more the political murder of kings in the name of the people. But his rejection of nationalist and militant republican patriotism does not imply that he rejects *all* forms, and he does in fact defend a third form.

Wieland describes the form of patriotism that he defends as the "love of the present constitution of the commonwealth" (*Liebe der gegenwärtigen Verfassung des gemeinen Wesens*) and the honest attempt to contribute to the maintenance and perfection thereof (PB 15:279–80, cf. Patr 15:592). He claims that this patriotic love naturally emerges in the good state: "Patriotism is the natural product of the contentment of the people with its situation, a contentment which is based on the justice of the laws and the reliability of their enforcement" (Patr 15:593). It is the love for a political system and the attempt to maintain and perfect it. This love naturally emerges in just states, because wealth is distributed more equally in a just state, the people enjoy certain rights and liberties, and they recognize and value the security provided by the just state (Patr 15:590). This love of one's country is not accidental, but tied to the specific qualities of its political system. People are generally happier in a just state than in an unjust state, and when they realize the positive role played by the state, Wieland claims, they will come to love it. The patriotism which he defends is therefore tied to the quality of the political system. It is not tied to a national or cultural group. It is in fact a version of what has come to be

termed “constitutional patriotism,” in the phrase of Dolf Sternberger and Jürgen Habermas¹⁷ (though their criterion for deciding *which* constitutions deserve such patriotism is radically different from Wieland’s).

Wieland contends that the Germans have good reasons to be patriotic in this sense, given the loose and pluralistic political system of the Holy Roman Empire. Most rulers have a relatively good system of legislation, he writes, and most also make an effort to promote the well-being of the population. If one does not like one’s own ruler or political system, it is not too difficult to move to a different jurisdiction. There is less social inequality in Germany than elsewhere in Europe, and the average standard of living is not too bad: Germany knows the “golden mean” (VHC 23:390). In short, the Germans have a number of reasons to be patriotic, precisely because they do *not* live in a centralized state like France.

Wieland’s empirical claims may well be overstated,¹⁸ and it is easy to disagree with his political ideal of the paternalistic monarch, but that is not my concern here. What is important in the present context is that this kind of constitutional patriotism, the love of a political system and the attempt to maintain and perfect it, is compatible with cosmopolitanism. As long as the justice of the laws is determined in terms of cosmopolitan standards, and as long as one’s patriotism does not come at the expense of others, constitutional patriotism can go hand in hand with cosmopolitanism. Assuming a cosmopolitan ideal of justice, there is no problem with loving one’s own just country for being just. One can also come to love countries other than one’s own for their justice, although this love is likely to be less strong. When this happens, such love is not called patriotism but something else, for instance *graecophilia* or *francophilia*. But when it concerns one’s own country, such love can rightly be called “patriotic” love. The standard criticism of Wieland – that he contradicts himself by defending both cosmopolitanism and patriotism – thus misses the central point of his endorsement of patriotism.

This diagnosis is confirmed if we look at the textual support adduced for the claim that Wieland contradicts himself. Frederick Beiser cites Wieland as saying that cosmopolitan principles exclude the sentiment known as “love of the fatherland,” and adds that “Wieland’s attitude toward the German nation was much more complex, and much more favorable, than his cosmopolitanism would allow.”¹⁹ The passage about “love of the fatherland” which Beiser quotes, however, actually expresses a different

view. The “passion” that Wieland calls “incompatible with cosmopolitan principles” is not “love of the fatherland” in general, but, more narrowly, “what was called love of the fatherland by the proud citizens of that city that believed it was founded in order to rule the world,” namely Rome (GKO 15:217). In other words, what Wieland here calls incompatible with cosmopolitanism is the “republican enthusiast” variety of patriotism (GKO 15:217, 219), not patriotism in general. He distances himself from forms of patriotism that aim to ground the “prosperity, fame, or size of one’s country on intentional preferential treatment and on oppression of other states” (GKO 15:218). Certainly, militant and imperialist patriotism runs counter to cosmopolitanism. But this does not imply that all forms of patriotism do.

On Wieland’s account, it follows that if one’s *patria* is unjust internally or in its outward relations, it will not engender constitutional patriotism. This form of patriotism emerges only as the result of good government. World citizens who happen to live in a bad and unjust state will of course attempt to promote reforms, but they do so without being inspired by patriotism. And should their attempts to reform their own political community lead to nothing, they may turn toward other endeavors. In Wieland’s narrative, this is exactly what Democritus does after all his efforts in Abdera have failed. He moves away and devotes himself to more fruitful projects.

5 KANT ON COSMOPOLITAN PATRIOTISM

Kant, too, defends both patriotism and cosmopolitanism. There are even a number of striking passages in which Kant claims that cosmopolitans *ought* to act patriotically. In the *Reflexionen* on Anthropology, he speaks of a “national delusion” (*Nationalwahn*) that one’s own nation is inherently superior to others. Kant claims that this delusion should be “eradicated” and replaced by “patriotism and cosmopolitism” (R 15:591). In the *Metaphysics of Morals Vigilantius* – lectures Kant probably gave in 1793–94 – he curiously speaks of “world patriotism and local patriotism,” and says that “both are required of the cosmopolitan” (MdS Vig 27.2:673–74). In “On the Common Saying,” he advocates both a “cosmopolitan constitution” (GTP 8:307–13) and a “patriotic way of thinking” (GTP 8:291). Similarly, he defends a cosmopolitan ideal in the *Metaphysics of Morals* while also advocating a “patriotic” regime (MdS 6:317).

On the basis of these quotations, Kant's views on patriotism may sound profoundly contradictory, and this may explain why they are almost completely ignored in the literature.²⁰ Indeed, most political theorists take it to be a defining problem of Kantian theory that it leaves no theoretical space for special duties toward one's own state. Several authors have objected that there may well be a Kantian justification for states in general and for the duty to promote justice in general, but that this does not (and cannot) show that I have a duty of special allegiance toward the *particular* state that is *mine*. John Simmons has argued that Kantian arguments for a duty toward one's particular state are missing an essential component. He formulates the objection in this way:

[E]ven if you had perfectly general duties to promote justice and happiness, say, and consequently duties to support just or happiness-producing states, these duties would require of you that you support all such states, providing you with no necessary reason to show any special favouritism or unique allegiance to your own just state, and providing none of those states with any special right to impose on you additional duties.²¹

The question is, then, whether Kant's moral cosmopolitanism can meet this challenge. It enjoins us to regard all human beings as fellow citizens in a moral world that transcends all political institutions; does it leave any theoretical space for a unique allegiance to one's own state? Kant obviously thought it did – but how exactly can cosmopolitanism and patriotism be combined, and what is more, how could Kant coherently defend the thesis that patriotism is a *duty*?

I believe that it is possible to find in Kant's texts the building blocks for a successful response. If this line of reasoning is convincing, it not only sheds new light on Kant's heretofore ill-understood claims about patriotism but also makes it possible to give a Kantian reply to objections of the type raised by Simmons.²²

To better understand Kant's argument, it is important to see not only how his conception of patriotism differs from Wieland's, but also how it is connected to Kant's notion of citizenship. For this explains the crucial differences between the ways in which Wieland and Kant reconcile cosmopolitanism with patriotism.

Kant's defenses of patriotism usually occur within his discussions of the republican ideal, an ideal which Kant embraces explicitly in the 1790s, and which constitutes his alternative to paternalistic and elitist ideals such as Wieland's. The ideal republic is a community of citizens who collectively, through their representatives, give themselves laws, and who establish executive and judicial powers that are separate from the legislative power. Kant describes the citizens of a republic as the members of a political community who are united for the purpose of collective self-legislation (MdS 6:314). Freedom, equality, and common subjection to self-given laws are the essential elements of his ideal of citizenship, elements which the representatives should always respect and which thereby constrain the powers of the legislature (MdS 6:341, cf. 6:315–17, 319, 322; nowadays such a state is usually called a representative democracy). The ideal state, according to Kant, is a *res publica*, a political community in which each citizen is a full member and is treated as such.

In “On the Common Saying” and the *Metaphysics of Morals*, Kant explains the concept of patriotism by contrasting it with despotism. In “On the Common Saying,” he distinguishes “paternal” and “patriotic” governments, calling the first kind “despotic” and endorsing the second kind. He characterizes patriotism as the view that the state is a commonwealth that should be governed not by a despot but by the rule of law, and in which legislation happens not on arbitrary whim, but in accordance with the general will (GTP 8:291). Elsewhere, Kant makes the same point, while also affirming the equality and independence of all citizens (R 19:511).²³ He introduces patriotism while discussing the three central ideas of his republican notion of citizenship: freedom, equality, and independence (cf. GTP 8:290–95; MdS 6:314). Thus, we find Kant here defending the conception of patriotism found in the republican tradition. “Patriotism” is the term for identification with and civic activity on behalf of the political commonwealth. This can take many different forms and may range from governing it or defending it to promoting the well-being of its citizens.

Kant mentions patriotism not only as an attitude of the citizen, but also as an attitude of the state. These are connected (cf. GTP 8:291). True patriotism on the part of the citizen involves regarding oneself as a co-legislating “member” of the state, and not merely as its “property.” True patriotism on the part of the state requires that the state treats the citizen

accordingly. Obviously, there can be no true patriotism among citizens unless the state also exhibits patriotism, since it makes little sense for the citizen to regard himself²⁴ as a co-legislating member of the state if the state does not (R 19:511).

Kant does not elaborate on the connection between patriotism and cosmopolitanism. He claims *that* the cosmopolitan should be patriotic but he does not explain why, what patriotism means, or how it is compatible with cosmopolitanism. But when we think through Kant's account of the just state and the republican ideal, the answers to these questions begin to emerge. As I shall now argue, Kant's argument hinges on the fact that a *just* state is a system of *self*-government and that, conceptually, such a system entails that its citizens have special concern for their own state, at least to some degree.

Kant argues that it is normatively required that all individuals who interact with others be members in a state. He holds that all humans have an innate and equal right to external freedom, and that there should therefore be a system according to which the freedom of each can coexist with the freedom of all others. In the absence of a just legal system with coercive authority, no one can be secure against violence by others (MdS 6:312). This is not because people in the state of nature are necessarily hostile toward each other. Kant explicitly claims that the requirement to establish a just state also holds when we assume that people in the state of nature are "good-natured and justice-loving" (*gutartig und rechtsliebend*, MdS 6:312). Thus, the argument does not hinge on particular anthropological claims about human psychological propensities or on a claim regarding the empirical circumstances in which human beings find themselves. Rather, the problem is that in the state of nature, freedom cannot be protected and right cannot be instituted. Hence, people ought to join those with whom they interact, submit to common public laws and law enforcement, and thus form a state in accordance with the requirements of right (MdS 6:236–37, 255–57, 264–66, 311–13; MdS Vig 27.2:528).

It is important to note that Kant's view here is neither that people should choose to live in a just state because it is in their interest to do so, nor that the people's free consent is what gives the state its normative authority. Rather, his view is that every human being has a fundamental ("innate") right to freedom, and that this right requires the coercive power of a state which justly enforces the laws that lay down how far that freedom extends.

It might of course *also* be the case that people find it to be in their interest to form a just state, and it might empirically be the case that people *also* consent to membership in such a state. But neither the beneficial role of the state nor the consent of the people subjecting themselves to its laws is the foundation for the legitimacy of the just state or the requirement to establish it.²⁵

On Kant's view, the just state is a republic, in which the citizens are free and equal co-legislators. All "active" citizens have the right to vote, but their legislative activity is to take place via their representatives: "Any true republic is and can be nothing other than a *representative system* of the people, in order to protect its rights in its name, by all the citizens united and acting through their delegates (deputies)" (MdS 6:341, cf. 6:319, 322). Moreover, a republic should separate the legislative, executive, and judicial functions of government (MdS 6:315–17).

This is important to the question of patriotism because such a conception of the state implies that citizens have certain *duties* toward it that they do not have toward other states. Why this is so is best brought out by contrasting the republic with a despotic state. Conceptually speaking, a despotic state is possible even when its subjects try to retreat into their own private projects as much as they can and make it their principle to disregard their own state. These subjects are not an integral part of the workings of the state. They may be necessary to provide the state with wealth (through taxation), but if the state has independent resources, such as mines, it may in principle function even without any involvement on their part.

By contrast, Kant defines citizens in a republic as "members of ... a society who are united for giving law" (MdS 6:314). The description of the active citizen as a free and equal, co-legislating member of the state implies that a republic can exist only when its citizens support and are involved in its core institutions. Citizens ought not to treat the state as a mere instrument for their own benefit; given that the state is conceived as the united body of the citizens, this would come down to treating their fellow citizens as mere means. This explains Kant's comment, in "On the Common Saying," that it is one of the characteristics of the patriotic attitude that one regards oneself as prohibited from subjecting the commonwealth to one's arbitrary personal purposes and using it at one's discretion (GTP 8:291).

Instead, citizens should acknowledge that they stand in a unique relation to their own republic. For if all citizens of a *republic* decide to focus

exclusively on their private affairs and to withdraw from public affairs as a matter of principle, the republic as *res publica* becomes impossible. This is because a system of *self-government* is conceptually impossible if all citizens adopt the maxim not to pay any special attention to their own state. The problem here does not occur at the level of empirical consequences, as it is an empirically open question whether citizens will ever in fact disperse their attention in this way, and republics might *de facto* function even without the commitment and active involvement of all of their citizens. Rather, the problem is that such a maxim, when universally adopted by citizens who strive to promote republican states for the sake of justice, leads to a contradiction at a fundamental level. Such citizens would make it their principle to promote just republics for the sake of justice, while at the same time refusing, as a matter of principle, to do what is necessary for just republics to exist.

Thus, because the republican system of political self-legislation is the only kind of state that is fully in accordance with the requirements of morality and right, according to Kant, and because republics require the involvement of their citizens for self-legislation to be possible in the first place, the maxim to renounce one's special bond with the republic in which one is a citizen cannot be willed as a universal law. From a Kantian perspective this maxim is shown to be wrong. As a result, there is a duty to be concerned with the political life of one's own republic (or democracy, in today's understanding of the term). Therefore, one ought to adopt the maxim to fulfill one's role as citizen. This means, in answer to Simmons' charge, that one does have a *special* allegiance and *special* obligations to the state of which one is a citizen.

The key point is that because a just state is a republic (in Kant's sense), the normative requirement to establish just states implies a duty, albeit perhaps minimal, on the part of citizens toward their *particular* just state. This duty is not based on consent or received benefits but flows from the special role citizens play in a republic. This is a role that they can play *only* for the republic in which they are *citizens*. Therefore, one could usefully distinguish this form of patriotism from other versions by calling it "civic patriotism."

This argument supports a negative (perfect) duty not to pay no special attention to the civic affairs in one's own state as a matter of principle, and it supports an equivalent positive (imperfect) duty to adopt the maxim to

have some special concern for the state in which one is citizen. The argument thus gives rise to a positive duty to be concerned, for the sake of justice, with at least the following: (1) the preservation of the republican state in which one is a citizen, (2) its flourishing insofar (and only insofar) as a certain degree of flourishing is necessary for the state to secure justice (bankrupt states cannot enforce their own laws), and (3) the functioning of the state as a republic and the improvement of its institutions where necessary (including such preconditions for effective political participation as a good educational system). All this, and perhaps more, is necessary to maintain a just state, and to maintain and improve an imperfectly just one.

Which activities civic patriotism requires of one will depend on the situation and on one's abilities. Regarding oneself as a "member" of the commonwealth may lead to a broad range of activities on its behalf, in addition to the obvious activity of voting, such as participating in public debate about laws and policies or promoting enlightened education. We are here dealing with what in Kantian parlance is called an imperfect duty, which means that no precise list can be given of what exactly needs to be done under what circumstances.

This shows that Kant can indeed consistently defend the view that citizens have special duties toward the just state of which they are citizens, duties they do not have toward other states or their members. Ruling out *any* special status of and unique allegiance to one's own just republic would come down to requiring a world in which one were not allowed to form just republics at all. Given the crucial role of the republic in Kant's theory of right, the impossibility of a republic would imply the impossibility of right itself.

Importantly, the argument above does not yield a blanket justification for directing one's moral and political efforts entirely toward one's compatriots while disregarding the needs of others. Citizens ought to adopt the maxim to promote the functioning and improvement of the republic as an institution of justice. This is not originally a duty to support one's compatriots but, rather, a duty to promote the institutionalization of justice. If and when one's compatriots receive certain benefits as a result, this is not simply because they are one's compatriots but rather because they are members of the just republic that needs the involvement of its citizens in order to function and improve as an institution of justice.

Of course, the duty of civic patriotism does not prohibit one from trying to promote just states elsewhere. Because (on Kant's account) an imperfect duty is the duty to adopt a certain maxim and not a duty to do a certain act, and because one has a number of different maxims, it is even possible that one adopts the maxim to pay special attention to one's own republic, as a citizen, and that one still ends up working for justice elsewhere in the world, say, under the maxim to help others in need. In the case of imperfect duties, it is not wrong not to act on a maxim on some occasions, provided one's failure to act on the maxim does not stem from a failure to adopt it (MdS 6:390). Thus, it is not wrong not to act on one's maxim of patriotism in favor of some cosmopolitan end, and vice versa, provided one has indeed adopted both maxims. People have many different duties, and it is a matter of *moral judgment* to decide, given the many duties one acknowledges, the circumstances, and one's abilities, what one is to do in a particular situation. Determining what ought to be done in specific situations cannot be calculated *in abstracto*. Claiming that we have a patriotic duty toward our own republic, therefore, does not imply that we should always give priority to one's duties as a citizen over one's other duties. For example, most people would acknowledge that someone who is on her way to the polls, five minutes before closing time, and who comes across a severely wounded person in an otherwise empty street who clearly needs help, ought not to let that person die in order to make it to the polling station in time. It is important, though, that one not *renounce* one's special role as citizen as a matter of principle.

Furthermore, there is no inherent and necessary conflict between patriotic and cosmopolitan duties. It is not difficult to think of situations in which the two are compatible, or even of situations in which both can be fulfilled at the same time. For example, in promoting the justice of one's own republic one should strive to make it more just in its dealings with other states. Kant regards patriotism and cosmopolitanism as leading in the same direction, and this makes it even *desirable*, from the perspective of one's own republic, that people elsewhere adopt the maxim of civic patriotism in *their* countries. Republics are by nature more peaceful than tyrannies, Kant argues, because citizens would have a vote as to whether or not the state will start a war, and having to shoulder the burdens of war themselves, they are less likely to vote for war (ZeF 8:351). Tending toward peace, republics are more likely to promote the cosmopolitan goal of perpetual peace, which

in turn enhances the stability of the republics themselves. In short, Kant's view is that the more cosmopolitan patriots of the right sort there are in the world, the more people there are who support republican forms of government, and the more this will promote the cause of freedom, right, and world-wide peace.

Conversely, Kant holds that opposing the patriotic good to the cosmopolitan good involves a misunderstanding of the former and is self-destructive in the long run. He gives the example of the Greeks, who in his view

expressed no benevolence towards foreigners, and who instead labeled foreigners as enemies: This was a prominent source of the decline of their state, because this produced ... hostility, jealousy, and a tendency to oppose the interest of foreign states. (MdS Vig 27.2:674)

A just republic and its citizens will naturally conduct themselves in a way that is peaceful and just toward non-citizens internally and toward other states and non-citizens in their external relations. In other words, whenever cosmopolitans work on behalf of freedom and justice within their own countries, they do so in a way that is compatible with promoting justice elsewhere, too. They do not try to improve the standard of living in their own state by exploiting others elsewhere. Instead, on Kant's view, they aim to achieve justice both at home and abroad.

Some theorists attach importance to patriotic responsibilities being non-derivative and fundamental, rather than being justified indirectly from cosmopolitan premises. Samuel Scheffler, for example, claims that if special responsibilities are justified indirectly, this "drastically demote[s] such responsibilities in status and significance," and that the only account that accords them proper status and significance is one that treats them as "ethically fundamental."²⁶ The Kantian rejoinder is to say that this claim seems to rest on the problematic idea that a conclusion of an argument has less "status and significance" than the premises from which it follows. What matters is *that* special obligations are theoretically justified, not that they are justified immediately rather than mediately. The fact that special responsibilities – here the special responsibilities of a citizen toward his or her own just democratic state – are not first in the order of justification does not mean that they are "ultimately insignificant."

From the discussion so far, it follows that civic patriotism is tied to a particular political system and does not require thick cultural practices or a shared language. Civic patriotism is possible even in a multicultural and multilingual state without any shared practices except for those connected with the political life of the republic. But of course, if there happen to be more shared cultural practices, these may further support the development and consolidation of political solidarity within the state. I return to the question of the compatibility of cosmopolitanism and multiculturalism in [Chapter 4](#).

6 THE “DANGER” OF COSMOPOLITANISM

Some critics have charged that moral cosmopolitanism is a danger to the state. If moral cosmopolitanism is defined in terms of moral standing and moral action, such as universal benevolence or membership in a moral realm of ends, if different moral theories lead to different forms of cosmopolitanism, and if cosmopolitanism leaves room for special obligations to groups smaller than humanity at large, such as patriotic duties toward one’s country, then moral cosmopolitanism might seem to be merely a lofty synonym for “morality” lacking any specific content of its own. A moral cosmopolitan would seem to be just a morally good person. If this is the case, however, so the argument might continue, it would be better to drop the metaphor of world citizenship. For this expression seems at least to *suggest* that one does *not* have special obligations to narrower communities, and this is at best misleading and potentially downright dangerous.

We find this kind of objection in Ernst August Anton von Göchhausen’s anonymously published and vehemently anti-cosmopolitan book, *Revelation of the System of the Cosmopolitan Republic* (1786).^{[27](#)} If we leave the slurs and insinuations to the side, his claim is that cosmopolitanism faces a dilemma. If world citizenship does not have any practical consequences beyond state citizenship, and if world citizens do just what state citizens ought to do, “cosmopolitanism” is a meaningless term. Alternatively, if the two come apart and world citizens do what state citizens ought to do only on condition that it corresponds to their cosmopolitanism, then cosmopolitanism is dangerous to the state. Therefore, cosmopolitanism is either empty or dangerous.^{[28](#)}

More articulately and thoughtfully, a related criticism has been made by Michael Walzer. He criticizes talk of world citizenship as misleading and dangerous because it wrongly suggests that particular loyalties, such as those to one's own country, should be overridden.²⁹ Moreover, in his view, it does not refer to anything real because there is no such thing as a world in which one can become a citizen in the usual sense of the term, with the necessary institutional structures, naturalization procedures, benefits and obligations, and the like. Hence, talk of world citizenship is better avoided.

In response to these objections, I would like to point out that there is something very strange about the contention that the notion of world citizenship is dangerous because it implies or suggests that narrower duties should be denied or overridden. There is no more reason to believe that *world* citizenship poses a danger to one's state than there is reason to believe that *state* citizenship poses a danger to, say, one's family. If one does not share the latter view, the analogy should not mislead and the objection does not impress.

Indeed, many eighteenth-century German cosmopolitans use the analogy between moral world citizenship and political citizenship in a state to claim precisely that political citizenship is *not* hostile to narrower loyalties and that there is therefore no reason to think that cosmopolitanism requires giving them up. Anticipating the type of objection brought forward by Walzer, they respond that unless one sees a problem reconciling one's family obligations with one's political citizenship, there is no reason to think that one's political citizenship cannot be similarly reconciled with one's cosmopolitanism. This is formulated most succinctly by a certain von Müller: "The love of humanity as a whole is just as compatible with the love of one's country as the love of one's country is with the love of one's friends and one's wife."³⁰

When understood properly, the citizenship metaphor that belongs to moral cosmopolitanism is entirely apt. In the context of Wieland's paternalist political theory, it evokes the idea of the sages whose moral concern extends to the entire community of all human beings. In the context of Kant's (1790s) republican political theory, it reminds us of the freedom and equality of all humans in a grand community of co-legislating moral subjects. In both cases, the world citizenship metaphor highlights the fact that the fundamental moral standing of human beings does not vary depending on their national affiliations and other narrower relationships. In

the eyes of moral cosmopolitans the real “danger” is that this is all too easily forgotten when our various narrower affiliations make claims on us.

Although moral cosmopolitanism is often regarded as primarily a view about our duties toward others without fundamental regard to their national or political membership, it also has implications for other types of associations such as religious or language-based communities. Many descriptions of cosmopolitanism, both of the non-egalitarian and the egalitarian kind, reflect an awareness of such implications. Friedrich Bouterwek, in his [1794](#) defense of moral cosmopolitanism in *Five Cosmopolitan Letters*, expresses a common understanding of cosmopolitanism when he contrasts it with particularism (he calls this “aristocratism”), according to which one’s moral obligations are limited to some particular group narrower than all humans, however one defines that group.^{[31](#)} Similarly, in his “Thoughts on Cosmopolitanism and Patriotism” (“Gedanken über Kosmopolitismus und Patriotismus”), von Müller mentions religious affiliation alongside membership in a political state. Describing the cosmopolitan, he writes: “Everything that is and is called a human being is of importance to him, and he does not first ask whether the person whose improvement and ennoblement he aims to achieve is his compatriot or a foreigner, a Christian or a Muslim.”^{[32](#)} In his dialogue “The Cosmopolitans” (1792), Karl Leonhard Reinhold has Frank, the cosmopolitan, say that cosmopolitans reveal themselves as such in that their “character is guided, purified, and inspired by justice.” He writes, “One sees soon enough that he neither gives his country, his faith, his profession preferential treatment against all others because they are his, nor disfavors them because fate has left him no choice in those cases.”^{[33](#)}

It is important to note that von Müller does not write that cosmopolitans pay no regard to special relationships but that these are not their *first* concern. Striking is also Reinhold’s comment that the cosmopolitan rejects not only the claim that compatriots deserve *more* consideration than others, but also the position that one’s compatriots deserve *less* moral consideration because one’s nationality is a matter of chance. That is to say, cosmopolitanism also requires that one not disfavor one’s own state simply because one did not choose it. Thus, what is distinctive for moral cosmopolitanism, on these conceptions, is the view that one’s cosmopolitan duties are more fundamental in the order of justification than one’s special obligations.

But the fact that, at the most fundamental level, cosmopolitans have obligations to all humans, and to all equally, neither rules out that they have special obligations to their own country (or to other groups they belong to), nor does it mean that special obligations should always be overridden. This is what the discussion of Wieland's and Kant's defenses of patriotism was intended to show. The crucial point is that cosmopolitans see a need for an *argument* that justifies the special obligation. Special obligations, on their view, are not justified simply by stating that a group is one's own.

The fact that cosmopolitan duties are fundamental in this way does not mean that they are also first in the order of human psychological development. It may well be the case, as many cosmopolitan theorists in fact assume, that our narrower loyalties develop before the broader ones do. Thus, as a matter of moral education, children may need to learn to broaden the scope of their affiliation from that of the family, to the local community, to the country, and to the community of all human beings. Many eighteenth-century cosmopolitans indeed attributed to patriotism a very useful role in this process.

7 COSMOPOLITANISM AND COSMOPOLITICS

Moral cosmopolitanism does not by itself imply a world-political ideal. Especially in the 1790s, when the term increasingly received political connotations due to its use by the French revolutionaries who annexed foreign territories in its name, some moral cosmopolitans started to emphasize more explicitly that theirs was a moral view, not a proposal to reshape the international political landscape. Wieland distances himself from the French effort to “organize the entire human race into a single brotherly democracy” (BLV 15:575), stressing that cosmopolitanism is a theory advocating moral regard for all human beings, not a proposal for international institutions. Bouterwek rejects what he calls “*cosmopolitics*,” by which he means world-political activism as exemplified by the French.³⁴ He too argues that cosmopolitanism should be restricted to a moral attitude and not be translated into an international political agenda. It is “dream ...to want to be a citizen of the world in the sense in which one is a citizen of a state, a city, a house ... because a human eye can see only a few steps ahead in the order of the whole.”³⁵ He claims that we know much too little to

engage in political activities with such enormous scope and that in doing so we risk disaster.

This is not to say that the moral cosmopolitanism of people like Wieland and Bouterwek is apolitical or anti-political. On their view, the moral cosmopolitan should promote reforms to abolish social and moral wrongs, whether they occur inside or outside of one's country, and this may lead to a variety of cosmopolitan activities that could justifiably be called "political." When, in the fall of 1789, after a brief initial phase of optimism, Wieland starts to fear that the French Revolution will stray from the path of the reasonable, he regards it as his cosmopolitan duty to use his reputation as a leading German author to appeal publicly to the French National Assembly in hopes of convincing the French to pay more respect to the monarchy ("Cosmopolitan Address to the French National Assembly," October 1789). While moral cosmopolitanism may lead to political activities of various kinds, it need not involve an ideal of world-wide political institutions.

Of course it is quite possible to combine moral cosmopolitanism with the defense of a world-wide political order, and this is the subject of the next chapter. Many authors, including Kant, disagreed with Wieland and Bouterwek, claiming that since the world had already developed to a point at which there was interaction on a global scale, one could no longer refuse to think about how such interaction should be structured to satisfy demands of justice.

- 1 For a good description of this dispute, see Irmtraut Sahmland, *Christoph Martin Wieland und die deutsche Nation: Zwischen Patriotismus, Kosmopolitismus und Griechentum* (Tübingen: Max Niemeyer Verlag, [1990](#)), 140–47.
- 2 "On the alleged decline of the human species" [Über die vorgebliche Abnahme des menschlichen Geschlechts] (1777), 7:440].
- 3 "Patriotic contribution on Germany's highest level of flourishing, occasioned by an anonymous proposal with this title that appeared in print in the year 1780" [Patriotischer Beytrag zu Deutschlands höchstem Flor, veranlaßt durch einen unter diesem Titel im Jahr 1780 im Druck erschienenen Vorschlag eines Ungenannten].
- 4 Wieland refers to "the ancients" in Abd 2.6, 10:110–11.

- [5](#) A few years earlier, he had published a novel about Diogenes of Sinope, entitled *Socrates Gone Mad: The Dialogues of Diogenes of Sinope* (*Socrates mainomenos, oder die Dialogen des Diogenes von Sinope*) (1770), in which the Cynic variety of cosmopolitanism is briefly introduced. See above, Introduction, p. ##.
- [6](#) Abd 10:74–75. The main passages introducing cosmopolitanism are Abd 1.9, 10:56–60 and Abd 2.6, 10:110–13.
- [7](#) See also “Wohlstand” (under “Wohlfahrt”) in Johann Heinrich Zedler, *Grosses vollständiges Universallexicon aller Wissenschaften und Künste*, 68 vols. (Halle: Zedler, [1732](#)–1754).
- [8](#) Anon. (Johann Georg Schlosser), “Schreiben an Herrn Hofrat Wieland in Weimar über die Abderiten im deutschen Merkur,” *Deutsches Museum* 1 ([1776](#)): 147–61.
- [9](#) Barbara Herman discusses the realm of ends as a cosmopolitan ideal but argues that it is not an ideal that Kant believed ought to be realized, but just a way of thinking (61), or “just another way of representing the moral law” (66). Barbara Herman, *Moral Literacy* (Cambridge, MA: Harvard University Press, [2007](#)). Already in the *Critique of Pure Reason*, however, Kant writes that the moral world is an ideal that ought to be realized as much as possible (KrV A 808/B836). On his defense of the duty to promote the realization of a moral world, see my “What Do the Virtuous Hope For? Re-Reading Kant’s Doctrine of the Highest Good,” in *Proceedings of the Eighth International Kant Congress, Memphis 1995*, ed. Hoke Robinson, (Milwaukee: Marquette University Press, 1995), vol. I.I, 91–112.
- [10](#) Frederick C. Beiser, *Enlightenment, Revolution, and Romanticism: The Genesis of Modern German Political Thought 1790–1800* (Cambridge, MA: Harvard University Press, [1992](#)), here 353.
- [11](#) Sahmland, *Christoph Martin Wieland*, 146–216, esp. 174–75, 188–89 and 203–16; and Sahmland, “Ein Weltbürger und seine Nation: Christoph Martin Wieland,” in *Dichter und ihre Nation*, ed. Helmut Scheuer (Frankfurt am Main: Suhrkamp, [1993](#)), 88–120, here 93–94.

- [12](#) See also the goals expressed in the full (French!) name of the (German) patriotic society of Hesse-Homburg, “Société patriotique de Hesse-Hombourg pour l’encouragement des connaissances et des moeurs” (1776). See Rudolf Vierhaus (ed.), *Deutsche patriotische und gemeinnützige Gesellschaften* (Munich: Kraus International, [1980](#)) and Hans Hubrig, *Die patriotischen Gesellschaften des 18. Jahrhunderts* (Diss. Göttingen, [1950](#)).
- [13](#) For a good description of the history of this form of patriotism (albeit with a purist contention that it is the only genuine form of patriotism), see Maurizio Viroli, *For Love of Country: An Essay on Patriotism and Nationalism* (Oxford: Clarendon Press, [1995](#)).
- [14](#) Hugh Cunningham, “The Language of Patriotism, 1750–1914,” *History Workshop* 12 ([1981](#)): 8–33.
- [15](#) See also Abd 1.12, 10:75.
- [16](#) Earlier in his life Wieland had been a defender of republicanism, but he became disillusioned with it during the 1760s, when he learned of Bern’s expulsion of Rousseau and served as scribe of the chancellery in the small free town of Biberach. See Beiser, *Enlightenment, Revolution, and Romanticism*, 345.
- [17](#) **Jürgen Habermas**, “Citizenship and National Identity,” in *Between Facts and Norms*, Jürgen Habermas, trans. William Rehg (Cambridge, MA: MIT Press, 1996), 491–515; Dolf Sternberger, *Verfassungspatriotismus* (Frankfurt: Insel, [1990](#)).
- [18](#) See Sahmland, *Christoph Martin Wieland*, 195–200.
- [19](#) Beiser, *Enlightenment, Revolution, and Romanticism*, 352.
- [20](#) Two texts mention the topic: cf. Manfred Riedel, “Menschenrechtsuniversalismus und Patriotismus: Kants politisches Vermächtnis an unsere Zeit,” in *Politik und Ethik*, ed. Kurt Bayertz (Stuttgart: Reclam, [1996](#)), 331–61; and Georg Cavallar, *Kant and the Theory and Practice of International Right* (Cardiff: University of Wales Press: [1999](#)), 132–45. Riedel provides an instructive overview of the relevant passages in Kant’s work. Cavallar discusses Riedel’s essay and shows some

parallels between Kant's discussion of patriotism and the current debate about "constitutional patriotism."

- [21](#) See A. John Simmons, "Justification and Legitimacy," *Ethics* 109 (1999): 739–71, here 753.
- [22](#) For further discussion, see my "Kantian Patriotism," *Philosophy and Public Affairs* 29 (2000): 313–41.
- [23](#) This comment from Kant's notes on Achenwall's *Ius Naturalis* stems from an early period and it is difficult to establish whether Kant here endorsed this conception. But the passage may still be useful for a clarification of the *conception* of patriotism.
- [24](#) As is well known, Kant excluded women from the right to be active citizens, MdS 6:314–15.
- [25](#) See also Arthur Ripstein, *Force and Freedom: Kant's Legal and Political Philosophy* (Cambridge, MA: Harvard University Press, 2009).
- [26](#) Cf. Samuel Scheffler, "Family and Friends First? Review of Martha C. Nussbaum *et al.*, *For Love of Country*," *Times Literary Supplement* December 27 (1996): 8–9; here 9. See also Scheffler, "Conceptions of Cosmopolitanism," in Scheffler, *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (Oxford University Press, 2001), 111–30.
- [27](#) Anon. [Ernst August Anton von Göchhausen], *Enthüllung des Systems der Weltbürger-Republic. In Briefen aus der Verlassenschaft eines Freymaurers* (Rome (Leipzig): [Göschel], 1786), here 177.
- [28](#) This passage stands in the context of a tirade that allegedly exposes Enlightenment cosmopolitans as naive puppets in the hands of an evil Jesuit conspiracy. This tirade need not concern us here.
- [29](#) Michael Walzer, "Spheres of Affection," in Martha C. Nussbaum *et al.*, *For Love of Country: Debating the Limits of Patriotism*, ed. Joshua Cohen (Boston: Beacon Press, 1996) 125–27.
- [30](#) V. M. [von Müller], "Gedanken über Kosmopolitismus und Patriotismus," *Der Kosmopolit: Eine Monathsschrift zur Beförderung wahrer und allgemeiner Humanität* 1 (1797): 387–

97, here 396. The essay is signed “v.M” and according to the volume index it was written by “Von Müller, bailiff [*Drost*] in Schwerin” (that is, not the more famous Johannes von Müller). Cf. also C. S. L. von Beyer, “Über Kosmopolitismus und Patriotismus,” *Deutsche Monatsschrift* ([1795](#)): 223–30.

[31](#) Friedrich Bouterwek, *Fünf kosmopolitische Briefe* (Berlin: Hartmann, [1794](#)), 4–5.

[32](#) Von Müller, “Gedanken,” 388.

[33](#) Karl Leonhard Reinhold, “Die Weltbürger,” *Neuer Teutscher Merkur* ([1792](#)): 340–79, here 353. Reinhold wrote the essay in the form of a dialogue, so the quoted passage may not represent Reinhold’s own view, but this does not matter for the purposes of my discussion.

[34](#) Bouterwek, *Fünf kosmopolitische Briefe*, 17, 19.

[35](#) *Ibid.*, 15, cf. also 148.

Chapter 2 Kant and Cloots on global peace

1 CLOOTS' CHALLENGE

Between 1791 and 1793, a man who had named himself Anacharsis Cloots¹ (1755–94) and who was a high-ranking Jacobin in revolutionary France, published several books in which he argued that the social contract tradition, by its own logic, should lead one to defend world-state cosmopolitanism.² Cloots ardently defended social contract theory and did not mean this argument as a *reductio ad absurdum*. On the contrary, he regarded the unquestioned acceptance of a world with a plurality of states as an old prejudice. He formulated a challenge: “The prejudices spring from such deep roots that no one has even thought of asking: *Why is there more than one state?*” (RU 166).

Cloots advocates the establishment of a republic of the united individuals of the world. He argues, on the basis of the 1789 “Declaration of the Rights of Man and Citizen” and central ideas of social contract theory, that the only consistent political theory requires that there be only one state, a “universal republic” in which all humans would be citizens. Social contract theory justifies the establishment of states with coercive authority in terms of the (actual or hypothetical) agreement of individuals, and it regards the protection of their freedom and human rights as a good reason for individuals to subject themselves to state authority. Without the state, individuals would live in the “state of nature,” a condition in which they cannot be secure against violence by others. Taking this idea one step further than most social contract theorists, Cloots argues that establishing a *plurality* of states merely shifts the state of nature to the international realm. The human rights and interests of individuals are not adequately protected in a multi-state world, because no matter how well their state secures them internally, they are still threatened insofar as this state exists in a condition of war externally (an international state of nature). Hence the only real solution is the establishment of a universal republic of human beings of the world – “world citizenship” in the most literal sense.

Several earlier authors, such as the Abbé de Saint-Pierre, had proposed federalist solutions to the problem of the international state of nature, but Cloots regards federalism as a non-starter. If the federated states are still sovereign, the federation does not have the power to force the member states to comply with the laws. Conversely, if states give up their sovereignty, they should no longer be called states. So we face the following choice: either the existing states merge into a world republic, or they retain their powers and the threat of war remains. Traditional political theory, according to Cloots, is unwilling to face up to this dilemma. Its arguments are as inconsistent as its ad hoc solutions are ineffective.

Cloots sought to put his ideas into practice, aiming to realize the universal republic by enlarging France. Born of Dutch parents as a Prussian citizen, educated first in Paris and then at the military academy in Berlin, he had moved back to Paris and embraced the cause of the French Revolution as well as cosmopolitanism. He became an instant celebrity in 1790 when he presented himself as the “representative of the human race,” leading a delegation of foreigners in congratulating the French during the festivities on the first anniversary of the French Revolution. Cloots’ initiative received much attention, and the National Assembly printed and distributed no fewer than half a million copies of his speech.

In the following years, Cloots published several books in which he made the case for the world republic, spent part of his large fortune on the French army, was elected to the National Convention, and subsequently served as the president of the committee on foreign affairs, handling the French war efforts. In this capacity, he argued against turning the conquered territories into federated republics, advocating their merger with what he started to term “the country formerly called France” but now properly called “universal republic” (O 147, B 29–30). Incidentally, he also endorsed tyrannicide (arguing in favor of the execution of Louis XVI and the King of Prussia, for example), and he defended the necessity, in the fall of 1793, of “salutary terror.”³

Initially Cloots expected that the oppressed peoples abroad would happily join their liberators in the world republic. When that proved too optimistic, he later wrote that these peoples had been so enslaved under the yoke of their tyrants that their judgment was numbed and stupefied. It was, therefore, necessary to coerce them into the world state; only then could they learn to recognize their true interests (B 40–42).

Eventually, he claimed, the enlarging universal republic would encompass the entire globe and all humans would live in brotherhood and peace. He wrote, in a formulation which contributed to his political downfall, “I demand the suppression of the name *French* ... All humans want to belong to the universal republic, but not all peoples want to be *French*” (B 29–30). “We declare the *rights of man*; we have implicitly renounced the ancient labels *Gaul* or *France*.” And: “Because our association is a veritable fraternal union, the name “sibling” [*Germain*, which also means “German”] would suit us perfectly” (B 29–30).

Robespierre did not appreciate that last pun. Although Cloots still became the chair of the Jacobin Club in November of 1793, he was removed a few weeks later. Ironically, Cloots was convicted on the basis of both his Prussian origin and his cosmopolitanism.⁴ He wrote an *Appeal to the Human Race* (December 20, 1793), demanding that because “the Abbé de St. Pierre did not get hanged for his universal aristocracy, I should not be guillotined for my universal sans-culotterie.”⁵ He was guillotined anyway (in March 1794), after having bowed in all directions, from the scaffold, to pay a final homage to humanity everywhere.

Insofar as he is mentioned by name, Cloots was abhorred by eighteenth-century German cosmopolitans. Bouterwek denounces the “cosmopolitics” of the “crazy sansculotte-Anacharsis” and Wieland repeatedly condemns Cloots as demonic, feverish, and fanatical.⁶

Cloots formulates an important theoretical challenge, however. By his own account, he is the only one who has applied social contract theory consistently. Interestingly, what little philosophical literature there is on Cloots grants him that. Francis Cheneval, in an essay on Cloots, argues that it was his great merit to have applied social contract thinking *consistently*.⁷ If this judgment were appropriate, however, this would mean that social contract theory, when applied without contradictions, necessarily leads to the ideal of a “universal republic,” and that this universal republic is to be established by force, if necessary.

Wishing to avoid these implications, as the German cosmopolitans did, one could of course steer clear of any attempt to develop cosmopolitanism into a theory of world-wide political institutions. Authors such as Wieland and Bouterwek, who limited their cosmopolitanism to its moral variety, simply chose not to address Cloots’ challenge at all. But that leaves it unanswered, and given the existing plurality of states and the prevalence of

social contract thinking in political philosophy, that is an unsatisfying state of affairs.

Kant, by contrast, does address global political institutions, extending his cosmopolitanism beyond the moral context. In *Toward Perpetual Peace* and the *Metaphysics of Morals*, he posits an analogy between individuals (who should leave the state of nature and establish a state) and states (which should leave the state of nature and form a federation). But whereas he grants individuals the authority to coerce each other into a state (unless they choose to leave each other alone), he denies this right to states and advocates the establishment of a voluntary league without coercive powers as the proper way to leave the state of nature.

Critics have argued that Kant's theory is inconsistent and that he should have called for the establishment of a world state with the power to coerce disobedient members. Kant's appeal to the fact that states do not *want* to join such an institution is widely regarded as a decidedly unKantian line of argument.⁸ Some commentators have even argued that a consistent Kantian view would include a mandate for strong states to force other states into such a world-wide political institution.⁹ The philosophical question is, then, whether Kant can meet Cloots' challenge and argue convincingly for the legitimacy of a plurality of states and against the permissibility of their coercing each other into a (universal or federative) world republic.

In this chapter I aim to show that the standard criticisms of Kant rest on a misunderstanding of his position, and that Kant's political cosmopolitanism, when properly understood, in fact constitutes an *answer* to Cloots' challenge. In his mature political writings, such as *Toward Perpetual Peace* and the *Metaphysics of Morals*, Kant advocates the establishment of a non-coercive league of states. Against the standard interpretation, I show both that Kant advocates this league for reasons that make good sense within the framework of his political theory and that he views this league as a first step on the road toward the stronger ideal of a state-like international federation of states.

Kant did not arrive at this position until the middle of the 1790s, and some of the confusion about his views in the literature stems from the fact that the development of his view has been insufficiently noticed. It will prove helpful to contrast Kant's 1790s position with the position he defended earlier, during the 1770s and 1780s, especially in the 1784 essay,

“Idea for a Universal History from a Cosmopolitan Perspective,” (IaG) and examine the relative merits of these two positions.

2 THE DEVELOPMENT OF KANT’S THEORY OF INTERNATIONAL RELATIONS

Kant was by no means the first to develop a proposal for international peace.^{[10](#)} He himself acknowledges the Abbé de Saint-Pierre and Jean-Jacques Rousseau as his predecessors (IaG 8:24, GTP 8:313). Saint-Pierre had proposed that the Christian rulers of Europe form a federation with a permanent senate and an international court of arbitration, backed up by an international military force, to settle disputes between member states. Other key requirements mentioned by Saint-Pierre are the reduction of standing armies, the prohibition of territorial expansion, and the prohibition of intervention in the internal affairs of other states.^{[11](#)} Rousseau had summarized the contents of Saint-Pierre’s work and presented them to a broader audience.^{[12](#)}

Although he already expressed similar ideas in his *Lectures on Anthropology* in the mid 1770s, the first published essay in which Kant articulates the normative ideal of international peace and its requirements is the “Idea for a Universal History from a Cosmopolitan Perspective” (1784).^{[13](#)} In this essay, he advocates the establishment of a strong federation of states with coercive authority at the federal level, and, like Saint-Pierre, he appeals to the enlightened self-interest of rulers to defend the feasibility of this ideal. He does not propose a merely voluntary association but argues that a strong, state-like federation of states is required to guarantee the external security of states. This is required, Kant claims, for the internal improvement of political structures within each state, which in turn will allow the full development of human predispositions for the use of reason. Legal and political improvements will thus pave the way for learning processes which will, eventually, lead to moral improvement (IaG 8:21, 26, see also [Chapter 6](#)).

Kant argues, in the 1784 essay, that the way in which states leave the international state of nature to join into a state-like federation is structurally similar to the way individuals leave the state of nature to join into a state. In

both cases, the hardship resulting from their rivalry and conflict eventually forces them to give up their “wild” or “brute” freedom, for the sake of their own interest (IaG 8:24). *Individuals* unite into a state “in which *freedom under external laws* can be encountered combined, in the greatest possible degree, with irresistible power” (IaG 8:22). Similarly, Kant claims, *states* will ultimately be forced, by the hardship resulting from the rivalry and wars between them, to exit the state of nature and enter a juridical condition. States exhibit “the same unsociability” as individuals; they experience “precisely the ills that pressured individual human beings and compelled them to enter into a lawful civil condition,” and thus states too will come to see the advantages of joining a federation with common laws and law enforcement (IaG 8:24). This federation has the same features as a state. In it, Kant writes,

every state, even the smallest, could expect its security and rights, not from its own power, or its own legal judgment, but only from this great federation of peoples [*Völkerbund*] (*Foedus Amphictyonum*), from a united power [*vereinigte Gewalt*] and from the decision in accordance with laws of the united will. (IaG 8:24)

From the way Kant explicates the function of this federation, it is clear that it is not the voluntary league that he later introduces in *Toward Perpetual Peace*. The federation advocated in the “Idea for a Universal History” is to guarantee the states’ security and rights, which are grounded in the “laws of the united will” and enforced and guaranteed through a “united power” (IaG 8:24, 26). Kant describes this cosmopolitan condition, which will come about once states form a federation, as “resembling a civil commonwealth” (IaG 8:25). He refers to the work of Abbé de Saint-Pierre as defending a view similar to his own. In other words, the federation mentioned in the “Idea for a Universal History” is not a loose league.

Kant’s use of the term “*Bund*” (*Völkerbund*, IaG 8:24, lines 23–28) can easily mislead current readers into thinking that he intends a voluntary league. The term itself, however, is neutral as to whether or not the institution has the power to enforce its laws. Federative unions may have a strong centralized federal government with binding public laws and coercive powers to enforce them; or they may lack coercive powers and take the form of a voluntary association of states that share certain goals; or

they can fall somewhere in between. The exact nature of the “*Bund*” depends on the specific agreement between the states. In the “Idea for a Universal History” Kant envisions a strong federal authority, as is clear from the quoted passages. In later texts, however, he also uses the term “*Bund*” for a much weaker kind of entity, as we shall see below, in the discussion of *Toward Perpetual Peace* and the *Metaphysics of Morals*.

Kant does not provide details about the different institutions that such an international political body should include. So it remains unclear whether all states should have voting rights in a federal legislative body, whether the federation would have a standing army to enforce its laws, and so on. Perhaps Kant’s reference to the Abbé de Saint-Pierre means that he agreed with his proposals. Or perhaps Kant simply left these matters undecided. The “Idea for a Universal History” is, after all, not written as a treatise in political theory. Its leading interest is rather in finding a unifying principle for historiography.

More surprising than the lack of detail is the fact that Kant does not reflect on the danger of injustice raised by a strong federation of states. The “Idea for a Universal History” is famous for Kant’s assertion that human nature prevents states from ever being fully perfect, yet he fails to extend this point to the international domain. With regard to the internal organization of states, he writes that the “crooked timber” of which humanity is made does not allow the creation of something perfectly straight (IaG 8:23). Human beings tend to abuse their freedom and violate laws, and for this reason they need a supreme authority that can enforce their compliance. Any supreme political authority is itself human, however, and hence afflicted with the same tendencies. Hence, the problem of creating a just state cannot be completely solved (IaG 8:23). Moreover, Kant claims, even an approximately good state constitution is dependent not just on individuals’ self-interest but also on a “good will that is prepared to accept it,” yet a good will is actually more likely to develop within the good state (IaG 8:23). This too poses a problem for the implementation of a just state constitution.

Given this diagnosis, one would expect Kant to bring up these problems in the context of his discussion of the cosmopolitan condition, too. The human tendency to violate laws would naturally also make itself felt at the level of the international federation. Nonetheless, in the “Idea for a Universal History,” he simply fails to discuss the problem that imperfect

states are likely to form an imperfect federation and that this may lead to grave injustice.

In *Toward Perpetual Peace* and the *Metaphysics of Morals*, however, after having embraced and developed republicanism, Kant defends a different position on international peace. As I shall argue below, his position in the mid 1790s can be read as an answer both to the problem of the federation's possible injustice and to Cloots' challenge.

Whereas in the "Idea for a Universal History" (1784) Kant emphasizes the analogy between the two levels of the state of nature without restricting its applicability, in the 1790s he modifies this view. He still uses the analogy but now limits its applicability. The *goal* is still to form an international federation with the power to enforce its laws, but there are important disanalogies as to *how this goal should be pursued*. Kant introduces the thought that this goal should be pursued via the establishment of a loose league of peoples, as a first step. He seems to have developed this thought around the time of writing *Toward Perpetual Peace*. In the third essay in "On the Common Saying" (1793), no mention is made of such a league. Here Kant criticizes the ideal of a world state under one head, with the argument that it is likely to result in dangerous despotism. Instead, he advocates the establishment of an international legal condition with "coercive laws," that is, "public laws that are accompanied by power," to which every state would have to subject itself voluntarily (GTP 8:312–13). The idea of a loose league is mentioned for the first time in *Toward Perpetual Peace* (1795).

Kant's change of view is no doubt related to the fact that, in the wake of the French Revolution, he developed his political theory in an explicitly republican direction. This development is clearly underway in his writings from the early 1790s such as "On the Common Saying" and *Religion*, but in those writings Kant had not yet fully worked out all the details. On Kant's republican view, a state is ideally conceived as a union in which citizens give themselves laws through their representatives. This republican conception of the state, Kant now argues, is the only one compatible with the fundamental right to freedom of each individual. Individuals do not abdicate their freedom when they join in a republic, he writes, taking up a theme from Rousseau. Rather, they merely give up their "wild freedom" in return for "lawful freedom" and political autonomy in a republic organized in accordance with the principles Kant lays out in his theory of right. I shall

argue below that Kant's republican notion of the state may well explain his change of view regarding the way peace should be pursued.

In *Toward Perpetual Peace*, published in 1795, shortly after France had concluded peace with Prussia, Kant sharply criticizes the ideal of a "universal monarchy." The universal monarchy is the hegemonic state that brings about a world state by swallowing up all others. According to Kant, this leads to "soulless despotism" (ZeF 8:367, cf. GTP 8:311). Discussions of the universal monarchy in the literature often referred to the aims of Charles V or Louis XIV. Cloots' terminology of a "universal republic" was clearly chosen to evoke associations with this idea, even if he translated it in republican terms (he was vehemently opposed to any kind of monarchy, universal or otherwise). Thus, insofar as the target of Kant's criticism is the state that enlarges itself by incorporating all others coercively, it also fits exactly the expansionist model of the "universal republic" which Cloots had in mind when he was involved with the French war effort. The question is, however, whether Kant can criticize Cloots' model of the universal republic consistently, and if so, how.

I would like to argue that Kant does in fact have a good, consistent argument on this score and that it is exactly his republicanism that allows him to defend his alternative position. His republicanism rules out the coercive establishment of a world state, on the one hand, and supports the feasibility of a strong international federation, on the other. In the sections to follow, I take these points in order, starting with Kant's defense of the ideal, then discussing the problem with Cloots' approach, and turning to questions pertaining to the process of approaching perpetual peace in the final section.

My interpretation of Kant's advocacy of a federative world republic needs a somewhat long defense, because it runs counter to a widespread reading and assessment of Kant's theory of international relations. This is the view that Kant advocated merely the establishment of a voluntary league of states.¹⁴ I will discuss the usual arguments for this common interpretation in turn. I first address Kant's much-maligned inference from the fact that states do not want to join a strong federation to the claim that they should establish a voluntary league. I then turn to the equally infamous passage in which he is said to claim that the notion of a strong federation would be internally inconsistent, which is often read as yet another bad argument in favor of a merely voluntary league. I would like to show that in

each case, Kant's texts actually suggest a very different reading that is both philosophically and textually stronger than the dominant interpretation. At the same time, I aim to explain the genuine importance of the voluntary league, in response to those authors who argue that Kant defends the ideal of a state of peoples and who tend to downplay his defense of a league in the process.¹⁵

3 THE POTENTIAL DESPOTISM OF A COERCIVELY ESTABLISHED WORLD STATE

One of the most infamous passages in which Kant defends the establishment of a loose league instead of a "state of peoples" is the following:

As concerns the relations among states, according to reason there can be no other way for them to emerge from the lawless condition, which contains only war, than for them to relinquish, just as do individual human beings, their wild (lawless) freedom, and to accustom themselves to public, binding laws, and to thereby form a (continually expanding) *state of peoples* (*civitas gentium*), which would ultimately comprise all of the peoples on earth. But they do not want this at all, according to their conception of the right of peoples (thus rejecting *in hypothesi* what is right *in thesi*);¹⁶ therefore, instead of the positive idea of a *world republic* (if not everything is to be lost) only the *negative* surrogate of a lasting and continually expanding *league* [*Bund*] that averts war can halt the stream of law-shunning and hostile inclination, but with a constant threat of its breaking out [...] (ZeF 8:357)

Kant here mentions a "state of peoples" or "world republic" as an idea of reason. This term does not refer to a Clootsian universal republic that supersedes all existing states. This is clear from the fact that Kant does not argue that states should dissolve but that they should join into a world republic. They should leave the international state of nature by giving up their external sovereignty, subjecting themselves to the public laws of this international institution. The term "peoples" in "state of peoples"

(*Völkerstaat*), therefore, refers to what Kant in his comments calls “peoples as states” (ZeF 8:354), that is, peoples in the political sense of a group of individuals who are united under common laws, hence who form a state (cf. ZeF 8:344). “Peoples” can therefore be used interchangeably with “states” and does not refer to a nation in the nationalist sense, and “state of peoples” can be used as synonymous with “state of states.”¹⁷ This is also implied in Kant’s remark in the *Metaphysics of Morals* that “right of peoples” (*Völkerrecht*) is misleading and that “right of states” (*Staatenrecht*) would be more appropriate (MdS 6:343). In other words, the “state of peoples” or “world republic,” mentioned as a rational idea in the quoted passage above, is a federative state of states.¹⁸

To the consternation of his readers, however, Kant nevertheless advocates the establishment of a voluntary league of peoples without coercive law enforcement, and the quoted passage is generally regarded as inconsistent. Some commentators criticize Kant, others commend him for scaling back what reason demands on the basis of the empirical consideration that states *do not want* to join a state of states. But all agree that this argument is a decidedly unKantian move.¹⁹ Kant is seen as arguing that the idea of a state of states is a good one in theory but unrealistic in practice. This is exactly the kind of argument that he himself repeatedly repudiates – devoting three essays to this very criticism in his 1793 work “On the Common Saying: This May Be True in Theory, But It Does Not Apply in Practice.”

Against this standard reading, I would like to show that the importance of the states’ *wanting* to join a federative state of peoples can and should be interpreted differently. Given Kant’s other theoretical commitments, especially his commitment to the political autonomy of the peoples involved, the states’ not wanting to join actually constitutes a *good* reason for him to advocate the establishment of a voluntary league.

Let me point out first that the quoted passage does not mean (as Kant is often thought to argue) that one should *reject* the ideal of a federative world republic. Nor does he claim that states *will never want* to join such a body. What he does say is that because states *do not want* to join a state of peoples and (mis)interpret international right as a right to remain in the state of nature, a state of peoples is not able to “halt the stream of law-shunning and hostile inclination” that is characteristic of the state of nature, and that the only thing that *can* halt it is a continually expanding league. A league, instead of a state of peoples, is necessary for the purpose of leaving the state

of nature and moving toward peace (in order to halt this bellicosity). Kant thus presents us with a view as to how to initiate the departure from the international state of nature; he does not say that we should reject the idea of a world republic as such.

In fact, Kant defends the state of states as the ultimate ideal not only in the quote discussed here, but also in other, often-overlooked passages.²⁰ In *Toward Perpetual Peace* he expresses the hope that “distant parts of the world can peaceably enter into relations with each other, relations which can ultimately become publicly lawful and so bring humanity finally ever closer to a cosmopolitan constitution” (ZeF 8:358). He writes that right requires “an internal constitution of the state in accordance with pure principles of right, and then further, however, the union of this state with other neighboring or also distant states for the purpose of a lawful settlement of their conflicts” (ZeF 8:379). Similarly, he writes in the *Metaphysics of Morals* that before states leave the state of nature all international right is merely “provisional,” and that international right can come to hold definitively and establish a true perpetual peace only “in a universal union of states [*Staatenverein*] (analogous to that by which a people becomes a state),” a body which Kant here also calls a “state of peoples” (*Völkerstaat*) (MdS 6:350). He writes that this ideal will never be reached completely, but that it can and should be approximated (MdS 6:350). In other words, even here the federative state of peoples remains the ideal.

This raises the question of how to square Kant’s advocacy of a *league* of peoples with his defense of the *state* of peoples as a normative ideal. In order to answer this question, it is necessary to start with a few words about the analogy between the state of nature among individuals and that among states. Many commentators claim that because Kant holds that the state of nature among *individuals* can be overcome only by establishing a state with common laws and law enforcement, he should also have used the state as the model for overcoming the state of nature among *states*.²¹ Hence, they argue, he should have advocated only a federation of states with coercive public laws and granted states the authority to force each other to join such a federation. After all, if individuals have the authority to coerce each other into a state, why should states not have the authority to coerce each other into a world state?

The answer to this question lies in the fact that there is an important disanalogy between the state of nature among individuals and that among states. As Kant puts it in *Toward Perpetual Peace*, “states already have an internal legal constitution, and thus they have outgrown the coercion of others to subject them to a broader legal constitution according to their [viz., others’] conceptions of right” (ZeF 8:355–56). This passage seems cryptic at first, and Kant’s growth metaphor is not immediately helpful. Why would an *internal* legal constitution have a bearing on the states’ *external* relationships? One might be tempted to invoke the second and fifth Preliminary Articles in *Toward Perpetual Peace*, which formulate versions of the principle of non-interference. But an appeal to this principle does not yet explain *why* Kant regards it as wrong to coerce states to join a state of states, especially given that he also believes that a state of states is mandated by practical reason.

There is, however, a way of understanding the importance of states *wanting* to join that makes good sense of the problematic passages and explains in what sense states have “outgrown” coercion by others. This reading hinges on Kant’s republican theory of the state. As mentioned, Kant regards the state, ideally conceived, as a republic, that is, a union of individuals under common, self-given laws (see above, [Chapter 1](#)). On his account, the republic is normatively required because the external freedom of individuals (i.e., freedom in the sphere of outward behavior, as opposed to inner, moral freedom) should be protected through jointly self-given and enforced laws that determine and secure their spheres of external freedom. In the state of nature, individuals who interact with each other may intentionally or unintentionally violate each other’s freedom. Therefore, they should either submit to the common laws of a state or leave each other alone (in the sense of no longer interacting at all). If someone refuses to join others in entering into a state but does not leave them alone, then they are, in Kant’s view, entitled to force (*nötigen*) that person to form a state with them, in order to establish a situation in which their freedom can be secured and protected through laws and law enforcement (ZeF 8:349n.). This form of collective self-legislation can be called political freedom or political autonomy (as distinct from moral autonomy). Individuals do not lose their freedom when they join a republic: in a just state each “has left the wild, lawless freedom in order to find his freedom as such undiminished in a

dependence upon laws, that is, in a juridical condition, because this dependence arises from his own, lawgiving will” (MdS 6:316).

As such, and again ideally conceived, the people associated in such a state should be regarded as politically autonomous and be respected as such by other states. *Individuals* in the state of nature do not yet have anything analogous to this political autonomy; their external freedom is merely “wild” freedom. Their exiting the state of nature to establish a state is what first brings political autonomy into the world. When *states* exit the international state of nature, however, there is a normative constraint on the ways in which they may do so, a normative constraint that does not yet exist in the state of nature among individuals. This constraint is the political autonomy of the peoples involved, which means: the political autonomy of the collectives of individuals that compose the states which (ideally conceived) guarantee their spheres of freedom. Coercing them into a state of states would run counter to the basic idea of the people as a self-determining and self-legislating political union. As Kant formulated it in the *Conflict of the Faculties*, “a people must not be hindered by other powers in giving itself a civil constitution that it itself regards as good” (SdF 7:85).

This is most clearly true where a despotic state of states would destroy rights and freedoms already secured within relatively just states. But it holds true even when the coercion is intended to be for the population’s own good. Even if it might seem that citizens of brutally oppressive states would prefer to live in a republican federation rather than under their oppressive rulers, and hence that their political autonomy might be *served* by coercing them into a federation, in fact these citizens should be granted the opportunity to *decide for themselves* in this matter. The people may well want to get rid of their despot, but it does not follow that they want to join a particular self-proclaimed “liberator” world state with its own particular conception of right and justice. Coercive inclusion of a state for the good of its population, on the basis of the coercing state’s understanding of what this good consists in, comes down to an essentially paternalistic line of reasoning that passes over the political autonomy of the people it purports to serve, and Kant’s objections to paternalism are well known. Reading Kant’s argument in light of his commitment to autonomy, his use of the growth metaphor in *Toward Perpetual Peace* starts to make sense. A people in the political sense has indeed “outgrown” tutelage and paternalism.

This point is well illustrated by the various attempts on the part of strong states that understand themselves as republican (or, in current usage, as democratic) – be it Cloots’ revolutionary France, the Soviet Union, the United States – to impose their version of republicanism or democracy on the populations of heretofore despotic states. Cloots saw the French conquests as the liberation of neighboring peoples from their tyrants. He initially expected to be greeted enthusiastically by the liberated populations. For the most part, however, this did not happen. Cloots’ military exploits were rejected as an imperialist endeavor to bring the rest of the world under French rule and as a violation of the rights of the peoples involved. Cloots’ repeated assertions that he merely wanted to bring them under the rule of the universal republic, for their own good, did not help. It is indicative of Cloots’ paternalism that he advocated their coerced inclusion into the world republic, arguing that these populations were so abused by their despots that their judgment was impaired. France should “liberate” them against their will, because only after their subsequent re-education would they come to recognize the blessings of the universal republic (B 40–42).

To put Kant’s point in different words, the disanalogy between the two levels of the state of nature can be explained in terms of a difference between the starting assumptions in the two levels of the state of nature. In the case of individuals, one starts with a universal state of nature, whereas in the state of nature among states, the state of nature exists only in the external relations among states that internally already have a civil condition. Forcing *individuals* to leave the state of nature in order to have them subject themselves to common laws in a state establishes a civil condition where there was none before. The first state they form may not be perfect, but Kant claims that it is always better than the state of nature they left behind. On his view, any juridical condition, even one that is only partially in accordance with principles of right, is better than none at all (ZeF 8:373 n.) – even though it may be (and is likely to be) a “despotic” system, that is, a system that lacks popular self-legislation or separation of powers. In *Toward Perpetual Peace* Kant also holds, however, that such a despotic state can transform itself into a republican one, and that this improvement is propelled by the self-interest of peoples, if not by their good will: the problem of creating a good state can be solved “even for a people of devils (if only they have understanding)” (ZeF 8:366).

Granting *states* a right to force other states into a federation with coercive powers, on the other hand, on analogy with the right of individuals to force others into a state, would mean that the strongest state (or group of states) would end up setting the terms, subjecting other states to its laws. Kant believes that in the case of *individuals* leaving the state of nature, there is progress even if the newly formed state is despotic, because at least there is the rule of law. In the case of *states* leaving the state of nature, by contrast, a despotic state of states might quash any already existing rights that are secured internally by the subjected states, and hence a despotic state of states can severely violate previously established lawful freedom and the political autonomy of the people involved. There is no reason to assume that the strongest state (or group of states) will act in accordance with the requirements of right, or that it acts *more* so than the dominated ones. Indeed, the states with less power may stand in better accord with right. The state of states may be governed by laws that are inconsistent with the freedom (autonomy) of the member states, and a despotic federal state of states could, for example, destroy the republican institutions through which the citizens of a particular member state give laws to themselves. Kant does indeed go so far as to say that the international state of nature is better than a hegemonic despotism: “even this state of war is, according to the idea of reason, better than the fusion of these states into a power that overgrows the existing ones and ultimately turns into a universal monarchy,” because it first leads to “soulless despotism” and then degenerates into anarchy (ZeF 8:367).

This should not be misunderstood to mean that Kant’s objection to coercing unwilling states into a federation is motivated by the *empirical* risk of bad consequences when despotic states use coercion. Kant does not say that it is, and indeed if he did, such a line of argument would commit him to endorsing cases in which powerful *republican* and rights-respecting states use violence to coerce unwilling despotic states into the federation. After all, such coercion would expand the external freedom of the population of despotic states and it would seem that if the risk of *diminishing* freedom is a reason not to coerce just states into a federation, the chance to *expand* freedom would be a reason to coerce unjust states. But Kant clearly does not endorse this strategy.²² Rather, the problem he mentions is the “despotism” as such which violates the political autonomy of peoples. This

is why there is no general right to coerce unwilling states into a state of peoples.

Kant's position, thus understood, does not imply that he approves of isolationism or of self-interested foreign politics, of course. One should keep in mind that he also holds that duty requires that states join a league with an eye to promoting international peace. They *ought to do so*, but they should not be *forced to do so*.

It is worth noting here that commentators who criticize Kant for downplaying the analogy between exiting the state of nature among individuals and that among states often themselves fail to take seriously the problems connected with the analogy. The few authors who do follow the alleged analogy to its logical conclusion expose the dangers connected with their own view. According to Thomas Carson, for example, in an essay entitled "*Perpetual Peace: What Kant Should Have Said*," neither democracy nor consent are required for the creation of a state of peoples:

[I]f ... the creation of a world government would require that all nations have democratic or "republican" forms of government, then the prospects for the creation of a world government are not good. It may seem unlikely that all nations would ever agree to a particular form of a world government. But this is not necessary for the creation of a world government. It would be enough if all great powers (or all nuclear powers) agreed to the idea of a world state. They could then unite and compel other nations to join.²³

In a similar vein, Sidney Axinn has argued that Kant's core commitments should have led him to argue that "[w]e may use violence to compel membership in an international federation. Things seem quite unKantian, yet we have merely put together Kant's own positions."²⁴

These conclusions come rather close to Cloots' views on the *means* of realizing the world state (although they differ on the point of federalism), and they are certainly *not* "what Kant should have said." If the state of states is based on the sheer power of a few states with weaponry that allows them to compel all others, it is clear that the political autonomy of the citizens of the compelled states has evaporated, and the despotic nature of this process is clear.²⁵ This holds even if the hegemonic state of peoples is a democracy and the state to be coerced is a dictatorship. For, again, even if the people welcome their liberation from the dictator, this does not equal

their wanting to join a presumptive world state on the latter's terms. Rather, the people should be put in a position to determine *themselves* the shape of their political institutions. Kant has good reason then, given his broader republican commitments, not to sanction the coercive formation of a state of states as a matter of right, and therefore to advocate a league instead. Despite his radical democratic convictions, Cloots severely underestimates the importance of democratic self-determination of other peoples.

This reading of Kant's argument enables us to make good sense of the passage quoted at the beginning of this section, and it does so in a way that departs from the received view that Kant settled for a league rather than a state of states on "realist" grounds. His defense of a league of states is inspired by a concern that if a state of states is established by coercing unwilling states to join it, this would violate the political autonomy of the citizens of the member states. True and durable peace does indeed require that states form a federative state of peoples by analogy with individuals forming a state, but Kant denies that the *way this goal is achieved* should be analogous as well (as when they would be allowed to coerce each other into a state of peoples). This motivates his insistence on starting with a voluntary league, although his ultimate goal remains a federative "world republic."

That the league of states, in Kant's text, constituted merely an intermediate stage was recognized very clearly by Fichte. In his 1796 review of *Toward Perpetual Peace*, Fichte aimed to show that Kant's work is "extremely important" (RZeF 8:428) and not, as many readers took it, merely a "beautiful dream" or uplifting philanthropic prose. Kant delivers a compelling argument that is grounded in reason, Fichte argues, and one that contains the outlines of his philosophy of right. Explaining Kant's views, with the aim of underscoring their importance, Fichte writes:

the league of states which Kant proposes and which is to maintain the peace is merely an intermediate stage [*Mittelzustand*], through which humanity may well have to go on its way to that great end [viz., the *Völkerstaat*, state of states]; just as the states have undoubtedly arisen out of alliances for the protection of individual persons among themselves. (RZeF 8:433)

4 FEDERALISM AND INTERNATIONAL RIGHT

As mentioned at the beginning of this chapter, Cloots complains that the ideal of an international *federation* with coercive powers is incoherent. Either the constituent states are still sovereign and then the federation does not have a genuine title to coerce, or the states transfer their sovereignty to the federal level but then there would be only a single world state.

Interestingly enough, Kant is often interpreted as rejecting a state of states on exactly these grounds, and his argument is widely regarded as highly problematic. I aim to show, however, that here too the criticism rests on a misinterpretation.

In an important passage, at the beginning of his discussion of the principle of international right, Kant seems to reject the establishment of a state of states citing a “contradiction” that would then ensue:

Peoples, as states, can be judged as individual human beings who, when in the state of nature (i.e., when they are independent from external laws), already harm one another by being near one another; and each of whom, for the sake of his own security, can and ought to demand²⁶ that the other enter with him into a constitution similar to that of a civil one, under which each is guaranteed his rights. This would constitute a *federation/league of peoples* [Völkerbund], which would not, however, need to be a state of peoples.²⁷ Therein would lie a contradiction, because every state involves the relation between a *superior* (who legislates) and an *inferior* (who obeys, namely, the people), whereas many peoples within one state would make only one people, which contradicts the presupposition (since we have to consider the right of *peoples* vis-à-vis each other, insofar as they make up so many different states and should not fuse together into one state). (ZeF 8:354)

Interpreters often assume that Kant’s phrase “therein would lie a contradiction” refers to the conceptual incoherence of the very notion of a state of states.²⁸ In his widely used translation, H. B. Nisbet reinforces this assumption by rendering the clause as follows: “For the idea of an international state is contradictory, since ...”²⁹ According to this reading, Kant regards it as part of the concept of a state that it has full sovereignty. If states were to join in a state of states they would have to relinquish their

sovereignty and hence cease to exist *as* states in the proper sense of the term. Abolishing their statehood in the act of joining, the states would actually form only *one* state, and not a state *of states*, and hence, Kant is thought to argue, the very idea of a state of states is contradictory.

On the basis of this interpretation, critics have complained that Kant neglects the possibility that states transfer only *part* of their sovereignty to the federal level of the state of states. States would have to give up only their sovereignty in their external relations toward each other, and they could retain sovereignty in internal affairs. Kant is said to have been under the spell of a Hobbesian prejudice about sovereignty as an all or nothing affair, a prejudice which, fortunately, is easily obviated without requiring any structural changes in Kant's political theory.³⁰ The resulting (and purportedly more consistent) Kantian position would then be to advocate a (federative) world state.

In fact, however, the contradiction to which Kant refers lies elsewhere. First, it is worth pointing out that this criticism sits very uneasily with the common criticism discussed in the previous section, although many commentators raise both. Kant is criticized both for arguing that a federative state of states is unrealistic *and* for claiming that it is a contradiction in terms. If Kant rejects the state of states as a contradiction in terms, however, the alleged argument targeted by the first criticism would not only be bad but also entirely superfluous. After all, if one can show that a square circle is conceptually contradictory, it is not necessary – indeed it is rather odd – *also* to argue that reason demands that a square circle be drawn but that this demand should nevertheless be given up because people will not want to do so. The dominant interpretation of Kant's views attributes to him exactly this peculiar argumentative strategy.

More importantly, Kant does not actually write that the *concept* of a state of peoples (in the political sense of “peoples” – peoples constituted as states) is contradictory. Rather, he claims that the idea of a state of peoples “*contradicts the presupposition*” of international right (“since we are to consider the right of *peoples* in relation to one another ” ZcF 8:354). Conceptually, at the federal level, a state of peoples constitutes only one state. It is a presupposition of international right, however, that it concerns the interactions of a plurality of states. *As international right*, then, it cannot be grounded in the ideal of a world-wide state, because if there were such a

global political body, there would strictly speaking be only one state, and then *international* right would not be applicable.

This reading finds further confirmation in Kant's subsequent discussion of international right, a few pages later in *Toward Perpetual Peace*, which he begins with the words: "The idea of the right of peoples presupposes the *separation* of many neighboring states that are independent of each other" (ZeF 8:367, see also R 23:168). In short, when one is talking about *international right* one must address the legal regulation of the interactions among a plurality of different states, not the internal laws of a single world state.³¹

If this is Kant's argument, however, one might object that he could have eliminated the contradiction by replacing the "right of peoples" (international right) with something like the "right of a state of peoples." In the *Metaphysics of Morals* Kant himself uses this very term *Völkerstaatsrecht* (MdS 6:311) to indicate the ultimate goal. One might then regard his very assumption that it is important to establish international right as a questionable premise.

Kant's answer to this objection lies in his curious remark, in the quote at the beginning of this section, that states "should not fuse together" (ZeF 8:354). This belief motivates his insistence on the establishment of international right ("right of peoples," as opposed to the establishment of the "right of a state of peoples"). But one might wonder *why* states should not fuse together, especially given Kant's conviction that the state of states is demanded by reason. Until he has answered this question, Kant has not yet fully met Cloots' challenge.

Kant's reason for believing that states should not fuse together is not that they should preserve their sovereignty, but that this kind of fusion is dangerous. He explains his objection to the fusion of states in terms of his objection to "universal monarchy."³² This kind of non-federal world government, established by one imperialistic state that swallows all others, leads to "soulless despotism" and the peace of a graveyard (ZeF 8:367). In light of the importance of the political autonomy of peoples, as discussed in the previous section, Kant's objection to this kind of Clootsian fusion is all too understandable.

His rejection of the fusion of states should not be mistaken for a rejection of a global federation of states, however. Kant can consistently reject this violent fusion of states and yet defend the ideal of a global federation. If he

were opposed to states' transferring their external sovereignty to a federal level, one would expect him to criticize the Dutch or Swiss Republics or the very creation of the United States of America, which he does not (cf. MdS 6:350).³³ Equally, it would also be odd for Kant to claim, as he does repeatedly, that the state of states is demanded by reason. As Sharon Byrd and Otfried Höffe have also pointed out,³⁴ many commentators read Kant's arguments against the "universal monarchy" as arguments against all forms of world government, but it is a mistake to do so.

In fact, on Kant's view, the initial separation of states, reinforced by differences in language and religion, furthers internal development within states, and this development will prepare humankind for the future establishment of a world federation of the right kind. He expects that development within states will lead to "greater unanimity on principles" (ZeF 8:367). He presumably means moral and juridical-political principles, including the principles of constitutional and international right. Given that he diagnosed the states' reluctance to join a federation as stemming from "their conception of the right of peoples" (ZeF 8:357), a better understanding of the principles of international right and a greater agreement on its proper conception would remove an obstacle on the road to a stronger and just federation.

And indeed, Kant argues that this development will eventually lead to mutual understanding and peace (ZeF 8:367). An increasing consensus on normative principles will facilitate a non-despotic peace that peoples (as republican states) enter into willingly and autonomously. Once enlightenment has progressed far enough and people have achieved a proper understanding of and respect for universal principles of human rights, republicanism, and international and cosmopolitan right, *then* the time will be ripe for the transition to a global juridical condition.

In *Toward Perpetual Peace* and the *Metaphysics of Morals*, Kant does not specify *exactly* which conditions will have to be met before this can happen. Joining a voluntary league can rightfully be done at any time by any kind of state (despotic or republican), because the league does not have coercive laws that could violate the political autonomy of peoples and its sole purpose is to promote peace. By contrast, given the emphasis on the political autonomy of the people in the argument thus far, and given the requirement of republicanism in the First Definitive Article, it would seem that states would have to transform into republics before they join a

federation with coercive powers. The people themselves could decide this only once they form a republic, otherwise it would be a despotic imposition.³⁵ The ultimate ideal, then, is a federative republic of republics – the “world republic” from *Toward Perpetual Peace* (ZeF 8:357) or the “republicanism of all states together and separately” from the *Metaphysics of Morals* (MdS 6:354). Kant’s account of the approximate realization of this ideal will be discussed in section 6 below.

5 THE AHISTORICAL NATURE OF CLOOTS’ APPROACH

After this reconstruction of Kant’s answer to Cloots’ challenge, it is time to ask where the latter’s mistake is to be located. Cloots conceives of himself as the only *consistent* social contract theorist, so where is the flaw in his argument? Kant’s comments about historical progress make it possible to articulate the answer to this question. Cloots’ social contract theory is fundamentally ahistorical. He disregards entirely the fact that the existence of different states is the result of a historical development. His social contractarian arguments start out from the conception of the state of nature as an entire *world* populated with interacting individuals. He then argues that it is in the interest of all of these individuals to leave the state of nature. On this conception, there is indeed no good reason to divide individuals up into separate groups forming independent sovereign states, only for them to exist in a state of nature again at a second level. A plurality of states then seems nothing more than an accident or mistake, and its unquestioned retention seems the result of a fateful prejudice.

This conclusion no longer follows, however, as soon as one acknowledges, as Kant does, that states *have* developed as part of a historical process and that the political associations from which they emerged developed – to some degree at least – independently of each other. If a plurality of states developed before the fully “global” perspective of an entire world of interacting individuals was available, because individuals interacted in different local settings that were partly ignorant of or isolated from each other, then the emergence of *different* peoples (as states) can be understood and defended, in terms of social contract theory, instead of having to be rendered an irrational mistake.³⁶ At the time in history *before* there were states, there was no “global” interaction, and individuals formed

states with those in their respective local environments; and when, much later, interaction became “globalized,” there already was a plurality of states. If this historical process is taken into account theoretically, then, it is possible to give a coherent account, in terms of social contract theory, of both the emergence and the legitimate persistence of a plurality of states. These states are, ideally, the embodiment of the political autonomy of their citizens, and they should be respected because of that.

This argument cannot be used to defend the legitimacy of just any historically developed state of affairs. It specifically targets the emergence of a plurality of “peoples as states.” In this specific case it is relevant that their emergence is *justifiable in terms of social contract theory* if they have emerged through independent processes. Also, Kant’s argument as reconstructed here is not a matter of applying “permissive law” (*Erlaubnisgesetz*), where a state of affairs that is not justified is temporarily left intact because there is no justification for rectifying it overnight. On the contrary, Kant *defends* the plurality of states.

As was the case with the role of the league of peoples as an intermediate stage of development, again we find this argument expressed more clearly in Fichte’s work than in Kant’s. In the *Foundations of Natural Right*, he begins his treatment of international right with the proposition that “every individual has the right to force any other individual he encounters either to enter into a state with him or to stay out of the sphere of his efficacy.” And this would mean, Fichte continues, that “all human beings living on the earth’s surface would gradually become united in a single state” (GNR 3:369). “But,” he continues in the next paragraph, “it is just as possible that geographically separate groups of human beings, knowing nothing of one another, would unite to form separate states.” This is exactly what has happened, given the “fact that oceans, rivers, and mountains carve up the earth’s surface and divide the human beings who live on it” (GNR 3:369). These states, when they do start to come into contact, have a right to reciprocal recognition (GNR 3:372). Fichte here articulates, perhaps more clearly than Kant and very much in his spirit, the answer to Cloots’ ahistorical assertion that social contract theory requires a single world state.

6 HISTORY AND THE PROCESS TOWARD PERPETUAL PEACE

Kant's claim that the ideal state of states becomes a real possibility only after a certain level of development has been reached makes it necessary to examine in more detail how he envisions this historical developmental process in general, and in particular, what positive role the voluntary league of states would play in it. Therefore, I now turn to questions related to the realization of a federative world republic.³⁷

Kant attributes to human beings the psychological characteristic of "unsociable sociability," and he uses this to provide an account of the feasibility of perpetual peace. Social antagonism leads to consequences that are so harmful that people will leave the state of nature for self-interested reasons, preferring to regulate their interactions in accordance with common laws instead of enduring the lawless state of nature. They eventually come to see that it is advantageous to establish a state and subject themselves to its laws.

The same dynamics of self-interest, in turn, will lead states to wage war at first, and subsequently, again out of self-interest, to pursue an international federation to bring about peace. Kant's well-known view is that peace is in every state's interest and that states will be moved to promote it for this reason if not out of nobler motives. Underlying this confidence is his long-held assumption that the consequences of war will eventually become so costly and destructive that states have an interest in avoiding war (e.g., IaG 8:24–26; ZeF 8:368).

This theme that peace is in the states' interests undergoes an important modification in *Toward Perpetual Peace*, however, as compared to the "Idea for a Universal History." This change arises from his elaboration of the ideal of the republic in the 1790s. Kant introduces the double assertion that self-interest moves states internally in the direction of a republican government, and that republics, in contrast to despotic states, naturally tend toward peace. With the first innovation Kant believes he has solved the problem of the feasibility of the perfectly just constitution. With the combination of the first and the second, he strengthens his account of the feasibility of peace.

Rulers of despotic states easily declare war, Kant argues, as they simply make their subjects shoulder the burdens. For the same reason, however, despotic states are likely to succumb from within when these burdens become overwhelming. This had happened, in Kant's eyes, in the case of

the French *ancien régime*. Once despotic states start to crumble, they provide opportunities for republican reform. Kant illustrates this with reference to France (MdS 6:341, cf. GTP 8:311).³⁸

The government of a republic, by contrast, naturally tends toward peace, because here the citizens themselves decide whether or not to go to war. They will realize that offensive wars run counter to their self-interest in many ways, and this will make them significantly less inclined to start a war. Furthermore, once a republic has been formed, it may constitute a focal point or anchor for a pacific league, Kant writes, again referring to France (ZeF 8:351, 356–57). Thus, the explicit introduction of republicanism provides a mechanism by which self-interest can lead to peace both within the state and at the level of the international federation.

By conceiving of a republican government as the result of self-interest alone, explicable purely in terms of the “mechanism of nature,” and no longer relying on “good will” as he did in the “Idea for a Universal History,” Kant solves the earlier problem of the “crooked timber” of humanity. In *Toward Perpetual Peace* he now denies what he affirmed in the “Idea,” writing that a good will is not necessary for the achievement of a perfect republic. The selfish inclinations of humans, when rightly “organized” in the context of a republic, cancel each other out so that the result is as if they had no such inclinations (ZeF 8:366).

In order to make peace durable, a merely voluntary league of republics is not enough, but it does make a positive contribution to progress toward this goal. Even a small increase in stability will already allow for more internal development within states.³⁹ From his first writings on history onwards, Kant repeatedly expresses his view that less war means more development within states – development of the political institutions, education, and enlightenment in general (cf. IaG 8:20–31; GTP 8:311–12). This development then reinforces the peace process and makes it more secure. The idea is, in other words, that a reduction of warfare leads to many kinds of progress within states and that this progress in turn strengthens peace among states, which in turn allows for more progress, and so on.⁴⁰ Kant expects that the internal political system will improve during this process and, moreover, that agreement on universalist normative principles will emerge. Once this has happened, a voluntarily created and just state of peoples (a federative republic of republics) can be actively pursued, making peace institutionally more secure (ZeF 8:367).

This view provides an answer to another line of criticism of Kant's theory of international relations, which goes back to Friedrich Gentz, namely, the complaint that the voluntary league of states will not make a difference.⁴¹ As Gentz put it in 1800, "A free treaty among states will be honored merely as long as none of those who signed it possess both the will and the power to break it; in other words, as long as peace, which the treaty is supposed to establish, would exist also without it."⁴² In other words, the charge is that if the league is merely voluntary and non-coercive, only those states will join it that do not intend to wage war anyway; and if these states later become bellicose, they will simply quit the league (as happened with the League of Nations in the 1930s).⁴³ Strong states will behave opportunistically, subjecting the interests of weaker states to their own, using the league as an instrument of foreign policy when this is useful to them, and quitting or simply disregarding the league when it is not. Thus – so the objection goes – the league does not add anything substantive that goes beyond the mere subjective intention of the member states not to wage war, and hence it does nothing to promote peace.

This line of criticism not only overlooks the larger framework of Kant's view of history in which the role of the league is embedded, but it also underestimates the role of the league. The voluntary league is likely to go beyond a mere treaty. Admittedly, Kant nowhere provides a detailed explanation of how the league of states is supposed to work. This is quite remarkable given the crucial role he accords to it, and it is hard not to agree with Gentz when he complains about this lack of detail.⁴⁴ We do find the beginning of an account in the *Metaphysics of Morals*, however. Here, Kant conceives of the league on the model of a "congress of states," where the ministers of courts and republics present their complaints and reports of hostilities in order to submit their conflicts to arbitration (ZeF 8:350–51). This means that the league of states would create a permanent institutional structure for conflict mediation, opening up channels for communication and offering structures for neutral arbitration and negotiation that would otherwise not exist or would have to be arranged on an ad hoc basis.

However sketchy Kant may be on the specifics, this does mean that a league of states makes a practical difference. The league goes beyond a mere treaty not to wage war, by offering an institutional context for conflict resolution. Without the league, states with conflicts have to work their conflicts out between themselves. They may fail to seek out or find

impartial mediators, and resort to violence instead. Third-party states may offer themselves as mediators, of course, and Kant says as much in *Toward Perpetual Peace*, where he points out that because a war may well go against the interests of third-party states, these may try to bring about a settlement (ZeF 8:368). To point out that negotiations and mediation may also take place without a league is not to deny its potentially helpful role. The league is unlikely always to be successful, as Kant already acknowledged in his statement that the constant threat of hostilities would exist even with a league (ZeF 8:357). Moreover, not having coercive power, the congress could not enforce its decisions. But one should not flatly dismiss the potential of the league as an institutional framework for helping states keep the peace. Furthermore, the League of Nations and the United Nations have shown that such a league can encompass a good deal more than a mere court of arbitration, including the regulation of trade and labor laws; support for economic and political development; educational, scientific, and cultural exchange, and so on, all aimed at increasing cooperation and mutual understanding. Gentz has not shown that the league, when understood in this more comprehensive sense as involving institutions that promote peace and mutual understanding, makes no practical difference at all.

One might wonder, though, whether this function of the league, within Kant's broader theory of historical development, does not indirectly undermine the argument for a state of states. Does the historical account not imply that the league would bring about perpetual peace after all, even without any need for a federal coercive authority? If self-interest leads to the formation of republics, and if republics naturally tend toward peace, then a world-wide league of republics would already seem to do away with war regardless of any federal coercive authority. Kant's claim that republics are naturally inclined toward peace is often quoted in contemporary theories of international relations, ever since Michael Doyle confirmed empirically the narrower thesis that democracies do not wage war against each other (rather than Kant's broader claim that they do not wage war in general).⁴⁵ On the basis of this assumption, one might argue that global democratization would be enough to durably do away with war. This is a position held, for example, by Rawls in *The Law of Peoples*.⁴⁶ Rawls uses it to back up his claim that a voluntary association of peoples is indeed

sufficient to bring about international peace, and that any stronger form of world government is unnecessary (and, in Rawls' eyes, dangerous).

This objection can be raised purely on the basis of Kant's claim regarding the peaceful nature of republics, but it can be given an even sharper formulation if one adds Kant's teleological account of history, in particular his claim regarding the moral development of humanity. If nature produces a peaceful world of republics, and if peace is conducive to moral learning processes, then this would seem to eventually make an international legal order superfluous – at least in the ideal – once the right moral dispositions take hold.

However, this is clearly not Kant's view. His response to this objection could be to argue that the demand for a just legal order will always remain. This is not only because of human freedom and the fact that each new human being has to start at the beginning of the developmental process, but also because even a general "moralization" of humanity (IaG 8:26) would not make the state of states superfluous. This is clear from Kant's argument regarding the necessity of the state (mentioned above), because he argues that the state is a normative demand even for "good-natured and justice-loving" individuals (MdS 6:312). The reason is that their unrecognized prejudices or one-sided perspectives might be at odds with the demands of justice, or their different needs might produce conflicts that must be settled. Genuine peace requires not just the absence of hostilities, but also the lawful arbitration of conflicting claims. This argument holds for the interaction between individuals as much as for that between states.⁴⁷

In his writings from the mid 1790s Kant argues that there is a natural tendency toward republican government and that republics have a natural tendency toward peace, and together these claims ensure the feasibility of the ideal of perpetual peace. But Kant does not go so far as to predict that peace *will* occur. His account of its feasibility is meant to defeat the skeptic who rejects the normative command to promote peace by countering that it is impossible.

In the *Metaphysics of Morals*, Kant writes that the *perfect* realization of the ideal of a state of states is impossible. He here invokes the empirical problem of size as grounds for ruling out the complete realization of a state of states. Echoing a widely held view, he argues that when a state of peoples becomes too large, it becomes impossible to govern it and to protect each member effectively, and hence perpetual peace is an "unrealizable idea"

(MdS 6:350). Importantly, however, Kant does *not* take this as a reason to give up the ideal. Instead, he argues that the “continual approximation” of the idea is *both possible and a duty* (MdS 6:350).

The argument in this chapter has shown that Kant’s views on the nature of an international federation underwent fundamental changes during the Critical period. During the 1780s, Kant defended the ideal of a world-wide federation of states with the power to enforce its laws; in *Toward Perpetual Peace*, he inserts a voluntary non-coercive league between the international state of nature and the ideal international federation with coercive powers. I have argued that the larger framework of Kant’s political theory, especially his endorsement of the ideal of republicanism, explains why this change makes sense. It also explains why Kant could consistently defend the continued existence of a plurality of states, instead of having to advocate their dissolution into a universal republic, as did Cloots.

The discussion in this chapter was focused on international relations only, but Kant’s mature cosmopolitan legal-political theory includes another important element that needs to be addressed. During the 1780s, Kant’s notion of a “cosmopolitan condition” was exhausted by the ideal of an international federation, but in *Toward Perpetual Peace* he introduces the notion of “cosmopolitan right.” This third branch of public right regulates the interaction between states and foreign individuals, and this is the subject of the next chapter.

1 Born Jean-Baptiste Baron du Cloots de Val-de-Grâce, he abdicated his noble title on anti-feudalist grounds and dropped his baptismal name on anti-Christian grounds. Instead, he adopted as a first name the name of the legendary Scythian prince Anacharsis, who went to Athens to study Greek culture and Athenian democracy and became known as the “barbarian sage” (O 3:134–35) and who was the hero of a best-selling French novel in Cloots’ day, Jean-Jacques Barthélemy, *Voyage du jeune Anacharsis en Grèce*, 7 vols. (Paris: De Bure l’Aîné, [1787](#)–88).

2 *L’orateur du genre humain* (The speaker of the human race) (1791); *La république universelle ou Adresse aux tyrannicides* (The universal republic: Address to the tyrannicides) (1792); *Bases constitutionnelles de la république du genre humain*

(Constitutional foundation for the republic of the human race) (1793).

- [3](#) See his speech pronounced at the Tribune of the National Convention 27 Brumaire, year 2 (November 17, 1793), *Oeuvres*, 3:681–87.
- [4](#) See Albert Soboul, preface to Cloots' *Oeuvres*, xxvii–xxviii. Cloots' removal was also motivated by his anti-clerical attitude toward the Roman Catholic Church, which was too radical in Robespierre's eyes.
- [5](#) "Appeal to the Human Race" (Appel au genre humain), December 20, 1793, in *Oeuvres*, 3:689–708.
- [6](#) Bouterwek, Friedrich, *Fünf kosmopolitische Briefe* (*Five cosmopolitan letters*) (Berlin: Hartmann, [1794](#)), 17, 19; Wieland in a number of essays, e.g., 15:456, 479, 503, 533, 535, 537–79, 639.
- [7](#) Francis Cheneval, "Der kosmopolitische Republikanismus – erläutert am Beispiel Anacharsis Cloots," *Zeitschrift für philosophische Forschung* 58 ([2004](#)): 373–96, here 392–94.
- [8](#) Cf. Thomas Carson, "Perpetual Peace: What Kant Should Have Said," *Social Theory and Practice* 14 ([1988](#)): 173–214; Georg Cavallar, *Kant and the Theory and Practice of International Right* (Cardiff: University of Wales Press, [1999](#)), 123; Kevin Dodson, "Kant's Perpetual Peace: Universal Civil Society or League of States?," *Southwest Philosophical Studies* 15 ([1993](#)): 1–9; Jürgen Habermas, "Kant's Idea of Perpetual Peace, with the Benefit of Two Hundred Years' Hindsight," in *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*, ed. James Bohman and Matthias Lutz-Bachmann (Cambridge, MA: MIT Press, [1997](#)), 113–53; Otfried Höffe, "Some Kantian Reflections on a World Republic," *Kantian Review* 2 ([1998](#)): 51–71; Otfried Höffe, *Kant's Cosmopolitan Theory of Law and Peace*, trans. Alexandra Newton (Cambridge University Press, [2006](#)), 189–201; Matthias Lutz-Bachmann, "Kant's Idea of Peace and the Philosophical Conception of a World Republic," in *Perpetual Peace: Essays on Kant's Cosmopolitan Ideal*, ed. James Bohman and Matthias

Lutz-Bachmann (Cambridge, MA: MIT Press, [1997](#)), 59–77;
Thomas W. Pogge, “Kant’s Theory of Justice,” *Kant-Studien* 79
([1988](#)): 407–33, but revised in Thomas W. Pogge, “Kant’s Vision
of a Just World Order,” in *Blackwell Companion to Kant’s Ethics*,
ed. Thomas E. Hill, Jr. (Oxford: Blackwell, [2009](#)), 196–208.

[9](#) Carson, “Perpetual Peace.”

[10](#) Cf. the texts collected in Kurt von Raumer, ed., *Ewiger Friede:
Friedensrufe und Friedenspläne seit der Renaissance* (Freiburg:
Karl Alber Verlag, [1953](#)).

[11](#) Abbé Charles-Irénée Castel de Saint-Pierre, *Projet pour rendre la
paix perpétuelle en Europe* (Utrecht: Schouten, [1713](#)–1717).

[12](#) Jean-Jacques Rousseau, “Extrait du projet de paix perpétuelle de
Monsieur l’Abbé de Saint Pierre” (1761), in Bernard Gagnebin
and Marcel Raymond (eds.), *Oeuvres Complètes* vol. III (Paris:
Gallimard, [1964](#)), 563–89. Rousseau did present some of his own
thoughts as Saint-Pierre’s: for a discussion of the differences
between Saint-Pierre’s account and Rousseau’s presentation of it,
see von Raumer, *Ewiger Friede*, 127–50. Rousseau’s *Jugement
sur la paix perpétuelle*, written around the same time as the
Extrait, was first published posthumously in 1782 (*Oeuvres
Complètes*, vol. III, 591–600). Given that in the *Jugement*,
Rousseau distances himself clearly and explicitly from the Abbé’s
proposals, it does not seem that Kant had read this second text.

[13](#) In the Lectures on Anthropology from 1775–76, Kant advocates an
international federation with a “general senate of peoples” that
would adjudicate all international conflicts, and whose verdict
should be executed by a “power of the peoples,” subjecting the
peoples to “civil coercive power” (*bürgerliche Gewalt*, VA
25:676). Expressing a view similar to that found in the “Idea for a
Universal History,” Kant here expects the establishment of such
an international federation to lead to internal improvement in
government (*ibid.*).

[14](#) Recent defenses of this view can be found in Garrett Wallace
Brown, *Grounding Cosmopolitanism: From Kant to the Idea of a
Cosmopolitan Constitution* (Edinburgh University Press, [2009](#));

Patrick Capps and Julian Rivers, “Kant’s Concept of International Law,” *Legal Theory* 16 ([2010](#)): 229–57; and Arthur Ripstein, *Force and Freedom: Kant’s Legal and Political Philosophy* (Cambridge, MA: Harvard University Press, [2009](#)), 225–31.

- [15](#) Cf. Sharon B. Byrd, “The State as a Moral Person,” in *Proceedings of the Eighth International Kant Congress*, vol. I.I., ed. Hoke Robinson (Milwaukee: Marquette University Press, [1995](#)), 171–89, here 178–79. In Byrd and Hruschka’s recent book, the defense of the league is explained as a result of the fact that Kant, in *Toward Perpetual Peace*, “considers human weakness” (200). They argue that in the *Metaphysics of Morals*, he advocates the “state of nations.” The relation between the latter and the international congress remains a bit ambiguous in their account, however. B. Sharon Byrd and Joachim Hruschka, *Kant’s Doctrine of Right: A Commentary* (Cambridge University Press, [2010](#)).
- [16](#) In “On the Common Saying” Kant explains this terminology: “in thesi” means “in theory,” “in hypothesi” is equivalent to “in practice” (GTP 8:276). On the states’ interpretation of international right as a right to remain in the state of nature, see the preparatory notes to *Toward Perpetual Peace* (R 23:169).
- [17](#) This should not in turn lead to a statist misunderstanding, however. One should keep in mind that Kant conceives of the ideal state as the political self-organization of a group of individuals and that he does not regard the rights granted to the state as entirely independent from the rights of these individuals.
- [18](#) Cf. Rel 6:34, where Kant equates the term “federation of peoples” with “world republic.”
- [19](#) Dodson’s formulation remains representative: “This argument, however, explicitly accepts the subordination of considerations of justice to empirical judgments of what is realistic in the near future ... In putting forth this argument, Kant succumbs to the very same weakness that he so often warns us against – leaving us with only a “surrogate” arrangement so that something can be salvaged.” Dodson, “Kant’s Perpetual Peace,” 7.

- [20](#) Arthur Ripstein has recently argued that Kant advocated a loose league with an international court of justice but without coercive powers. Ripstein, *Force and Freedom*, 225–30. This interpretation does not sit easily with the texts that advocate a stronger form of federation. Moreover, it remains unclear how a court without any power to impose sanctions and enforce its rulings could fulfill the task Ripstein sets for it, and how it fits with Kant's claim that right and coercion are intrinsically connected.
- [21](#) See note 8 above. Antonio Franceschet has provided an illuminating review of such positions and their role in current political theory. He does not discuss this analogy in detail, however. Antonio Franceschet, "'One Powerful and Enlightened Nation': Kant and the Quest for a Global Rule of Law," in *Classical Theory in International Relations*, ed. Beate Jahn (Cambridge University Press, [2006](#)), 74–95.
- [22](#) For a critique of Kant's non-interventionism, see Fernando Tesón, "The Kantian Theory of International Law," *Columbia Law Review* 92 ([1991](#)): 53–102, esp. 67–68; for a more affirmative reading, see Howard Williams, "Kantian Cosmopolitan Right," *Journal of International Political Theory* 7 ([2007](#)): 57–72.
- [23](#) Carson, *Perpetual Peace*, 211.
- [24](#) Sydney Axinn, "Kant on World Government," in *Proceedings of the Sixth International Kant Congress*, ed. Gerhard Funke and Thomas Seebohm (Washington, DC: University Press of America, [1989](#)), 245–49, here 249.
- [25](#) Additionally, I would like to note that commentators who criticize Kant's defense of the league of states on the grounds that the league is likely to have many flaws, and who argue that only a state of states would be able to solve these problems, often overlook the fact that the state of states itself, if pursued instead of a league, is also likely to be flawed.
- [26](#) Note that the claim that states "can and ought to *demand* ..." does not imply that they are authorized to *coerce* each other.

[27](#) Here again, as mentioned with regard to Kant's use of the term in the "Idea for a Universal History" (cf. IaG 8:24, lines 23–28) it is clear that the *term* "Völkerbund" itself is neutral as to whether or not the institution has the power to enforce its laws. This neutrality is hard to preserve in the English translation. "Federation" has the connotations of a strong centralized government; "league," on the other hand, suggests a loose association. I have translated "Völkerbund" as "league of peoples" where it is clear that Kant is speaking of a voluntary association without coercive powers, but in this particular passage it seems best to point out the ambiguity in the term. The same ambiguity is found in Kant's use of the Latinate versions of the term, e.g., the word "federalism" in the second Definitive Article of *Toward Perpetual Peace*. Here too, however, the larger context dispels this ambiguity.

[28](#) Höffe, *Kant's Cosmopolitan Theory*, 196–97.

[29](#) *Kant: Political Writings*, ed. **Hans Reiss**, trans. **H. B. Nisbet**, 2nd edn. (Cambridge University Press, 1993), 102.

[30](#) Wolfgang Kersting, "Philosophische Probleme der internationalen Beziehungen," in *Politik und Ethik*, ed. Kurt Bayertz (Stuttgart: Reclam, [1996](#)), 423–56, here 437–38.

[31](#) Kant's argument here underscores once more that the term "people" should be read in the political sense. After all, if the term were used in the nationalist sense one could easily conceive of a state comprised of multiple peoples.

[32](#) On the concept of the "universal monarchy" in the eighteenth-century discussion, see Georg Cavallar, *Pax Kantiana: Systematisch-historische Untersuchung des Entwurfs 'Zum ewigen Frieden' (1795) von Immanuel Kant* (Vienna: Böhlau, [1992](#)) and Franz Brosbach, "The European Debate on Universal Monarchy," in *Theories of Empire, 1450–1800*, ed. David Armitage (Aldershot: Ashgate, [1998](#)), 81–98.

[33](#) This passage is sometimes read as a rejection of strong federalism. See, for example, Capps and Rivers, "Kant's Concept of International Law." Kant does not criticize federalist states

however, but emphasizes that the first step toward peace is the creation of a “congress” of states.

[34](#) Byrd, “The State as a Moral Person,” 186–87, n. 58; Höffe, *Kant’s Cosmopolitan Theory*, 189–203.

[35](#) In *Religion*, Kant still seems to mention a much stronger requirement, namely, moral improvement, because he warns against “the premature and therefore (since it comes before people have become morally better) harmful fusion of states” (Rel 6:123 n., see also MAM 8:121). But he does not repeat this in *Toward Perpetual Peace*, and neither the loose league nor the international federation with coercive powers advocated there would constitute a fusion of states.

[36](#) A similar point can be made with regard to the issue of sovereignty. Cloots contends that sovereignty is indivisible and hence should be attributed to the human race as a whole. This claim presupposes a “whole” of humanity. But if states can be theoretically conceived as having originated independently – that is, not as irrational partitions of an already existing greater whole – there is a way of conceiving of a plurality of peoples as simultaneously sovereign (B 4–5; 24, cf. RU 15).

[37](#) On Kant’s philosophy of history, see also Sharon Anderson-Gold, *Unnecessary Evil: History and Moral Progress in the Philosophy of Immanuel Kant* (Albany: SUNY Press, [2001](#)), and my book *Fortschritt und Vernunft: Zur Geschichtsphilosophie Kants* (*Progress and Reason: Kant’s Philosophy of History*) (Würzburg: Königshausen und Neumann, 1995).

[38](#) Incidentally, these passages also suggest that Kant did not see the French Revolution as a revolution proper, but rather as the king’s voluntary transfer of some of his powers to the people, after his own reckless spending had forced him to do so.

[39](#) See also Cavallar, *Kant and the Theory and Practice of International Right*, chapter 8.

[40](#) The developmental perspective here explains why Kant does not discuss the worry that the members of a state of states might entirely lapse back into hostility. On the foundations and

epistemic status of Kant's belief in progress, see my *Fortschritt und Vernunft* and the closing pages of [Chapter 6](#) below.

[41](#) This critique too found its classic formulation in Friedrich Gentz, "Über den ewigen Frieden," (On perpetual peace) *Historisches Journal* 2 ([1800](#)): 710–90. Reprinted in *Ewiger Friede: Friedensrufe und Friedenspläne seit der Renaissance*, ed. Kurt von Raumer (Freiburg: Karl Alber, [1953](#)), 461–97, here 478.

[42](#) *Ibid.*, 479.

[43](#) See also Habermas, "Kant's Idea of Perpetual Peace," 117. Despite the many parallels that do indeed exist between the league proposed by Kant and the twentieth-century League of Nations one should not forget that the latter failed to follow Kant's proposal in important respects, for example because its members did not give up their standing armies.

[44](#) Gentz, "Über den ewigen Frieden," 478, n.

[45](#) Michael W. Doyle, "Kant, Liberal Legacies, and Foreign Affairs," *Philosophy and Public Affairs* 12 ([1983](#)): 205–35 and 323–53; Michael W. Doyle, "Liberalism and International Relations," in *Kant and Political Philosophy: The Contemporary Legacy*, ed. Ronald Beiner and William James Booth (New Haven: Yale University Press, [1993](#)), 173–203.

[46](#) John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, [1999](#)), 8.

[47](#) See also Paul Guyer's explanation as to why a republic is not sufficient for peace in Paul Guyer, *Kant on Freedom, Law, and Happiness* (Cambridge University Press, [2000](#)), 415–20.

Chapter 3 Kant's concept of cosmopolitan right

1 INTRODUCTION

Eighteenth-century merchants of the Dutch East India Company doing business with Japan had to stay on a tiny artificial island in the Nagasaki bay called Dejima, the size of two soccer fields. There was a bridge to the mainland that could be crossed only by a very select group of Japanese officials, interpreters, and prostitutes, all of whom stood under the strict oversight of the shogunate. Except for a yearly visit to the shogun, the Dutch were not allowed on the mainland. During part of the 1790s, the Japanese allowed only one Dutch ship per year. These arrangements actually represented an exceptionally privileged status for the Dutch traders. They were the only Europeans who were allowed any contact with Japan at all.

In Europe, there was debate over the question whether the Japanese had a right to close their country to foreigners in this way, or whether foreigners had a right to enter territories abroad. Kant defends the Japanese policy. He discusses the matter in his treatment of what he terms “cosmopolitan right,” where he also discusses other questions regarding the interaction between states and foreign individuals and groups. What, for example, if someone cannot help entering another country? If, say, shipwreck victims wash ashore on a foreign beach, do they have a right to be tolerated on the soil? And what if a group of individuals still lives in the state of nature, do states (such as the European colonial powers) have a right to take possession of their territories and bring them into a civil condition?

Such cases are not covered under international right, which, on Kant's understanding, deals only with relations between states. In international right, the rights of foreign individuals come into view only insofar as individuals act as official representatives of their states, such as envoys. But that leaves important questions unaddressed, namely, questions regarding the interactions between states and foreign individuals who are not state officials, such as merchants, refugees, itinerant philosophers, and groups ranging from businesses to non-state peoples. When they interact, they

mutually influence each other's respective spheres of external freedom, and therefore it is necessary, Kant argues, to determine (in principle and in abstraction from existing treaties) which principles of right should be observed by states and foreign individuals or groups in their dealings with each other.

In *Toward Perpetual Peace* Kant therefore introduces a novel, third category of public right. In addition to constitutional right and international right, he now includes "cosmopolitan right" (*Weltbürgerrecht*). In the most general terms, the questions to be answered under this heading are the following: What are the rights and duties of states toward foreigners? And what are the rights and duties of individuals or groups toward foreign states? Do they have a right to enter foreign states? If not, why not, and what if they cannot help entering it, or if their lives are in danger? And do states have a right to take possession of foreign territory if the individuals using it do not form a state?

The core of cosmopolitan right is what Kant calls a right to "hospitality." By this he means, somewhat surprisingly perhaps, that states and individuals have the right to request interaction with other states and their inhabitants, but not a right to enter foreign territory. The addressees have the right to refuse such requests, but not with hostility, and not if it leads to the "demise" (*Untergang*) of the applicant. Kant's answer to the questions above, then, is that states have an obligation to refrain from imperialist intrusions and to provide a safe haven for refugees, and that traveling individuals do not have a right to enter foreign territory at will, unless they are granted permission.

Until the recent resurgence of interest in cosmopolitanism, discussions of Kant's theory of peace and international relations tended to focus on relations between states, neglecting his notion of cosmopolitan right. Given the importance of the problem of peace between states, this is perhaps understandable. Yet Kant himself regarded cosmopolitan right as an essential condition of a global rightful order. If interactions at this level are not regulated by principles of right, the state of war has not yet been overcome, Kant writes in *Toward Perpetual Peace* (ZeF 8:349 n.). In the *Metaphysics of Morals* he contends that if one of the three domains of public right is lacking, this undermines the others and eventually leads to their collapse (MdS 6:313). In other words, cosmopolitan right is a necessary element of perpetual peace.

In this chapter, I first discuss his view as to the scope, content, and justification of cosmopolitan right. I subsequently focus on the difficult problem of its institutionalization. I argue that despite the brevity of Kant's discussion of the implementation of cosmopolitan right, it provides a Kantian grounding for important developments in international law over the past century.

2 THE SCOPE AND CONTENT OF COSMOPOLITAN RIGHT

As early as 1800, Wilhelm Traugott Krug criticized the category of cosmopolitan right for being redundant. In his view, it should be subsumed under international right:

Cosmopolitan right, which people have recently introduced as a distinct part of public right, is really only a part of international right, or rather one single problem of the latter, a problem that is important enough, but that does not deserve to be listed under a title of its own, as if it were a separate part.¹

At first sight, Krug seems to have a point. After all, states, not individuals, make treaties regarding ambassadors, trading relations, and the like. It seems that international interaction falls under international right and that nothing warrants inventing a new category.

For Kant, however, the answer lies in the difference in *scope* between international and cosmopolitan right. International right concerns right between states. Under cosmopolitan right, by contrast, "individuals and states, who stand in an external relationship of mutual influence, are to be regarded as citizens of a universal state of humans [*allgemeiner Menschenstaat*] (*ius cosmopoliticum*)" (ZeF 8:349 n.).² In the *Metaphysics of Morals*, Kant mentions "peoples" and "earth citizens" (*Erdbürger*) (MdS 6:353) as bearers of cosmopolitan rights.³ Thus, cosmopolitan right regulates the interaction between states and foreign individuals or groups, addressing them as world citizens rather than as citizens of a particular state. Independently of their affiliation with any particular state, and independently of any existing treaties between states, all humans have equal

status under cosmopolitan right, which lays down normative principles for their interaction with foreign states.

This warrants a distinction between international right and cosmopolitan right, at least as long as one conceives of international right (as Kant does) as right between states. Of course terminology is flexible, and one might stipulate that the range of what is called “international right” should also include that which Kant calls “cosmopolitan right.” In fact, in earlier centuries, trade and other forms of interaction across borders had indeed been subsumed under international law. From the eighteenth to the twentieth century, however, states were generally deemed the only subjects of international law. Kant seems to be the first to introduce a separate, third category of public right to capture the rights that no longer fitted under international law in this narrower sense. When, in the twentieth century, the rights of stateless persons and refugees were codified, however, they were again subsumed under international law. This means that international law is currently once again conceived more broadly than merely law between states. This does not alter the fact, however, that it makes sense to demarcate that part of the legal system that deals with the interaction between individuals and foreign states and give it its own place. This is what Kant indicates with the category “cosmopolitan right.”

Cosmopolitan right is concerned with interaction (*Verkehr*) across borders. It applies to travel, migration, intellectual exchange, as well as to commercial endeavors. Some interpreters take the term “*Verkehr*” in a more restricted sense, especially when it is rendered in English as “commerce,”⁴ to refer exclusively to economic interaction.⁵ The term “*Verkehr*” can refer to any type of interaction, however, and Kant indeed also uses other terminology that is clearly not limited to trade. For example, he uses the expressions “to offer oneself for social interaction” (*sich zur Gesellschaft anbieten*) (ZeF 8:358) and “to attempt to establish community” (*die Gemeinschaft versuchen*) (MdS 6:353). Thus cosmopolitan right covers a much wider category than just contacts related to trade. This finds further confirmation in Kant’s examples of sailors seeking refuge from a storm (see below), and in his famous remark, at the end of his discussion of cosmopolitan right in *Toward Perpetual Peace*, that the community (*Gemeinschaft*) among peoples on this earth has now evolved to the point where a violation of right in *one* place on earth is felt in *all* (ZeF 8:360, cf.

MdS 6:353). Here the community in question is clearly not an economic one, but a rather community of right and a community of concern.

The content of cosmopolitan right is the right to “*hospitality*.” Kant writes, “[c]osmopolitan right shall be limited to conditions of universal hospitality” (ZeF 8:357). The term “hospitality” is potentially misleading, as Kant himself admits, because the right to hospitality is emphatically not a right to be treated as a guest. He employs a minimal and negative concept of hospitality, as “the right of a foreigner not to be treated with hostility because of his arrival on someone else’s soil” (ZeF 8:358). It is merely a right to present oneself and to *attempt* to establish contacts with people and states in other parts of the world. A state has the right to refuse a visitor, as long as it does so non-violently (unless the visitor poses a threat so that the state would be justified in defending itself). And despite the fact that Kant calls it a “visiting right” (*Besuchsrecht*) (ZeF 8:358), individuals have only the right to *present themselves*, but not the right actually to visit with others, since others are free to decline the request (MdS 6:352).⁶ Visitors do not have a general right to be supported, to be taken in, or to be tolerated by a foreign state any longer than it takes them to turn around and leave. In the terminology of the preceding chapter, one could say that the political autonomy of the state sets limits to the traveling world citizen.

Finally, no one has an a priori right to *settle* on the soil of another people; this right can be established only through a treaty. Existing states do not have a right to the territories used by non-state peoples. Kant sharply criticizes the colonialist European states bent on taking possession of land overseas without regard for the claims of native populations. He was not opposed to forming colonies as such, but it had to be consensual. He argued that there is nothing wrong with admitting colonists [*Colonisten*] who wish to settle on one’s territory, as long as this does not infringe on the private property of the inhabitants who already live there (MdS 6:338). In limiting the right to access in this way, Kant aims to support the rights of indigenous peoples and foreign states against unwanted encroachment by Europeans, whether they be states, missionaries, or commercial enterprises.⁷ Kant criticizes those who deny the need for concluding treaties with people who have not yet formed a state, and he criticizes those who deny the possibility of forming treaties with “savages” in the first place. As Sankar Muthu has shown in detail,⁸ in the mid 1790s Kant defends the rights of non-state nomadic peoples. He not only grounds his view in his theory of property

rights, which, in contrast to Lockean approaches, allows him to say that nomads have a rightful claim to land. He also affirms that anyone, on any continent, is the potential subject of contracts and the bearer of certain basic rights (ZeF 8:358–59). Much of Kant’s treatment of cosmopolitan right is a strong critique of colonialism with far-reaching political implications for his contemporaries.

Despite being “limited” to the right of hospitality, cosmopolitan right has substantial implications for the status of individual world citizens. As mentioned, Kant argues that a state may refuse a visitor only when it can do so without causing his demise. This principle has significant implications. When refusing a person at the border is impossible without leading to the person’s death, admission is obligatory, at least until circumstances abroad have improved. And one cannot legitimately expel a person to a country where she or he will die or be killed as a result of being expelled. Kant here in effect anticipates many of the refugee rights, including the principle of non-refoulement, that were established in the twentieth century.⁹

Some commentators have argued, against this reading, that it is anachronistic to interpret Kant’s argument regarding cosmopolitan right as establishing refugee rights, because refugee crises are a much more recent phenomenon.¹⁰ In response, one should first question the premise. In eighteenth-century Europe, there were all too many people who had to flee war, religious intolerance, and political oppression. In fact, Prussia admitted refugees by the tens of thousands. This was more a deliberate strategy to increase the size of the population than a humanitarian relief effort, but the point here is that the plight of refugees was not an unknown phenomenon.

Moreover, Kant’s own texts do contain pertinent examples of providing safe haven. Kant argues, in a draft for *Toward Perpetual Peace*, that people who are forced, by circumstances beyond their control, to arrive on another state’s territory should be allowed to stay at least until the circumstances are favorable for their return. While he does not explicitly mention economic or political refugees, he does state that cosmopolitan right implies the right to a safe haven:

Whoever is involuntarily caused to end up there [viz., with another people] (a ship seeking a port of refuge in a storm, or a stranded group of sailors) cannot be chased away from the beach or the oasis where he saved himself and sent back into imminent

danger, nor can he be captured; instead, he must be able to stay there until there is a favorable opportunity to leave. (R 23:173)

Clearly Kant's own references to seeking refuge and avoiding imminent danger in his discussion of cosmopolitan right mean that it is reasonable to read it as entailing refugee rights (among other rights).

Kant's view that states have the right to reject visitors unless it causes their "demise" raises the question, however, of whether his position is too restrictive, both with regard to the range of cases to which it applies and the range of reasons for which prospective visitors may be denied entry. For example, would it be permissible for a state to turn away people who request political asylum, on the grounds that, if returned, they would face "merely" torture or unjust imprisonment but not a certain death? And are states free to reject foreigners on, say, racist grounds? Kant himself does not address these issues.

On the basis of what he says about cosmopolitan right, however, it is possible to develop some answers to these questions. First, with regard to the range of cases to which cosmopolitan right applies, Kant's term "demise" could be interpreted more broadly than as referring to death only. It could conceivably also include incapacitating physical or psychological harm, and then the range of cases to which it applies would be much greater. Second, the certainty of the ensuing death need not be absolute for there to be a right to safe haven. To refer back to Kant's own example, there is no *absolute* certainty that sailors seeking refuge in a foreign harbor would indeed perish in the storm. In other words, the range of applicable cases need not be read in the most restrictive manner.

Second, with regard to the range of legitimate reasons for rejecting potential visitors, the worry is that, short of cases of immediate and grave peril, *any* reason for rejection, or none at all, might be legitimately invoked to refuse entry or interaction. Kant does not address this worry explicitly. But it would be reasonable to reply that discriminatory rules that keep groups of foreigners out by law for the mere reason that they have a certain skin color, for example, would disregard these foreigners' right to try to establish contact. For if they are rejected a priori on arbitrary grounds, their right to attempt to establish contact is entirely empty. A distinction between legitimate and illegitimate reasons for refusing requests should be drawn in terms of the actions and proposals of the foreigners in relation to a state's own legitimate goals, rather than being based on an arbitrary, irrelevant

characteristic. A law that discriminates on the basis of skin color would be illegitimate, while a law that forbids persons from entering the country to sell opium or plunder its natural resources would not. The line between legitimate and illegitimate reasons for rejection may be quite hard to draw in practice, but the distinction is essential in order to preclude the hospitality rights of certain groups from being rendered empty by arbitrariness and prejudice.

Moreover, this discussion of rightful reasons for rejection should not create the impression that rejection or admission is the only issue to be decided, and that if rejection is legitimate, states have no further duties. The point of international right and cosmopolitan right is to realize right at a global level. States genuinely committed to this ideal will, therefore, not look merely to their own self-serving interests when they make decisions but they will apply this cosmopolitan principle when they design their internal policies. Similarly, and coming back to the implications of patriotism as discussed in [Chapter 1](#), the duty of civic patriotism does not require closing borders to strangers in need. On the contrary, because patriotism of the Kantian variety is tied to one's own political system as an institution of right (*Recht*), the patriotic attitude requires taking into consideration what right demands. If aid to strangers in need is costly, for example, that is not in itself a good argument against such aid. The aim of the republic is not the happiness or the highest possible standard of living of the people, but the establishment of a condition of right. "Costs" (financial or otherwise) become a relevant concern once they become so high that the republic can no longer function well. When this point is reached may be a matter of much contention, of course, but this is exactly where the cosmopolitan maxim should speak against arguments of self-interest.

Turning now to the final issue bearing on the content of cosmopolitan right, I would like to consider Peter Niesen's interesting discussion of a related problem regarding eighteenth-century China's and Japan's restrictions on foreign visitors, namely, the bearing of these restrictions on the cosmopolitan right of the local populations. Niesen raises the novel question whether these policies should count as violations of the right to hospitality because the restrictions deprived the Chinese and Japanese populations of the possibility of coming into contact with others. Niesen answers this question by arguing that the policies in question should be regarded as merely restrictions on commercial speech, which he deems

justifiable in terms of cosmopolitan right.¹¹ In other words, had the governments of China and Japan meant to restrict *all* types of visits, this would have been a violation of cosmopolitan right, but in Niesen's view, the policies merely pertained to trade.

The Japanese restrictions also applied to missionaries and other kinds of foreign visitors, however,¹² and Kant's texts do not indicate that he somehow thought they were limited to commercial speech. Moreover, I would like to suggest that these restrictions, even when understood broadly, are not actually incompatible with the right to hospitality as Kant understood it. On Kant's construal, China and Japan had the right to refuse access to foreigners. He writes that he regards their refusal as legitimate given their experience with the violent and imperialist conduct of European powers in the Far East. China and Japan knew what they were doing, because they had given the interaction with Europeans a try (ZeF 8:359). They kept the Europeans at arm's length, in order to spare themselves a whole "litany of evils" (ZeF 8:359). On Kant's interpretation of the historical facts, then, the refusal is well motivated and non-arbitrary, because it constitutes self-defense against a known threat.

But does this not unduly deprive the Chinese and Japanese population of possible contact with foreigners? It does, but this is the fault of the non-republican ("despotic") nature of their political system, which kept the population from having a say in the decision to restrict foreign access. Given the principles of Kant's political theory, the Chinese and Japanese rulers should not have imposed these policies on their own population in this way – indeed, they should have reformed their political system internally and turned their states into republics. However, this is a criticism of the *internal* organization of their state and the legislative process. The right that is violated here is the subjects' right to be co-legislating citizens instead of mere subjects; it is not a violation of cosmopolitan right, which does not cover the relations between rulers and subjects within states. The state as such (bracketing its internal organization) has the right to refuse access to foreigners whose intended activities can rightfully be expected to produce a genuine litany of evils. In other words, had China and Japan been Kantian republics, their citizens would have been entitled to implement the same broadly restrictive policies for the same reasons of self-defense, and this would not have been a violation of cosmopolitan right.

3 THE JUSTIFICATION OF COSMOPOLITAN RIGHT

Kant seems to ground cosmopolitan right in the “original community of the land” (MdS 6:352), that is, in the idea that before any particular acquisition of property, the earth is in common possession. By this Kant means not that it is jointly owned, but that it constitutes the basis of their possible physical interaction (MdS 6:352). After such acquisition, others no longer have a rightful claim to use or occupy what is mine, except when I expressly permit them. But all parts of the earth, Kant says, continue to be thought of as parts of the whole to which everyone originally had an equal right. If the earth had not been spherical but an infinite plane upon which people could endlessly disperse, they would not necessarily have constituted a community of this kind. As it happens, however, the earth is a sphere on which all people are “locked in” (MdS 6:352, cf. ZeF 8:358). They are inevitably standing in a community of possible physical interaction, and hence their interaction needs to be regulated in accordance with principles of right (MdS 6:262).

It is not immediately transparent, however, how this is to serve as an argument in support of cosmopolitan right. Why would the fact that the land must be conceived of as *originally* held in common constitute a grounding for the right to hospitality *at present*?

It is clear enough how the “original community of the land” might be thought to ground a right to be in those parts that do not belong to anyone yet, and the status of unclaimed spaces is indeed an important issue covered by cosmopolitan right. In *Toward Perpetual Peace*, for example, Kant says that ships and camels may make it possible for humans from different parts of the earth to “approach each other over these ownerless areas, and to use as a means of social interaction that right to the *surface*, which the human race holds in common” (ZeF 8:358).

But Kant also claims that the original community of land grounds the validity of cosmopolitan right in areas that are “acquired.” What exactly is the relevance of the idea of an original common possession of land if it is no longer held in common?

In his 1798 commentary to Kant’s *Doctrine of Right*, Johann Heinrich Tieftrunk instructively attempts to explicate what remains implicit in Kant’s brief comments. On Tieftrunk’s reconstruction, even though the earth is

currently divided up into areas owned by different people, the fact that the earth must be thought of as originally in common possession means that even though these parcels of land have since become private property, everyone must still regard land owned by others as in principle *acquirable*. Tieftrunk writes that to deny a person the right to acquire any property from anyone else comes down to saying, “You are not a human being at all, you have originally no equal right to be on the earth with others, you are not in original common possession of the entire soil and its things ... You are a being which is not even entitled to the thought that something that I have could become yours.”¹³ Tieftrunk argues that the right to hospitality follows from the fact that the condition of the possibility of such acquisition is interaction, and the condition of the possibility of interaction is that one be allowed to present oneself to others.¹⁴

Even if Kant were to endorse this reconstruction, however, it would not suffice to fully ground cosmopolitan right. In interpreting the right to hospitality as the right to try to acquire other people’s property, regardless of national borders, Tieftrunk provides a justification for only *part* of what is covered by cosmopolitan right. If all attempts at interaction across borders had to be seen as attempts to start negotiations about property transactions, this would not cover important cases mentioned by Kant himself, such as the shipwreck victims who wash ashore and the sailors seeking a safe haven from a storm.

Another attempt to solve this problem can be found in Fichte’s discussion of cosmopolitan right. Fichte determines the subject of cosmopolitan right in a more restrictive way than Kant, as the rights of individuals within and toward foreign states. So he does not discuss issues relating to colonialism and imperialism as problems under the heading of cosmopolitan right. Nevertheless, he presents an innovative argument in defense of individuals’ right to travel across the surface of the earth and not to be refused entry if that would lead to one’s death. Fichte grounds this right not in the original community of the land, but in the idea that the most fundamental human right is “the possibility to acquire rights” (GNR 384). Even if a person does not have any legal relationship with a foreign state yet, this does not mean he has no rights in relation to this state, because he has the “original human right that antecedes all contracts and makes them possible”: “the right to the presupposition, on the part of all human beings, that they can enter into a legal relationship with him through contracts” (GNR 384). Thus, a newly

arriving foreigner does not yet have any positive rights in the state at whose border he arrives, but he does have the right that one assumes the possibility of entering into a legal relationship with him. From that right Fichte derives the right to set foot on (*betreten*) the territory of another state, on the grounds that one has to be in the territory of a state in order to make requests for legal relationships of various sorts. Therefore, “cosmopolitan right is the right to travel freely over the surface of the earth and to solicit a legal association” (GNR 384). The state has the right to send the stranger away if it does not wish to start a legal relationship with him. Like Kant, however, Fichte adds that rejection is not permitted if this would lead to the demise of the stranger. This is, he writes, because the latter retains the right to try to establish a legal relationship with another state.

Fichte’s construal of cosmopolitan right faces a problem, however. If one conceives of it as a right to travel and if this right to travel is grounded in the empirical fact that one has to be in the territory of a foreign state in order to solicit a legal relationship with it, it falls victim to the objection that one could also solicit legal associations from a distance. The right to travel would then be restricted to those cases in which one cannot submit the request by mail or via an intermediary. At best, Fichte’s reasoning yields a right to travel that is conditional on the unavailability of other means of communication regarding the specific type of legal association desired, and this is a good deal less than he aimed to accomplish.

Perhaps this is why Kant does not take Fichte’s argumentative route. Although he does not make this explicit in his discussion of cosmopolitan right itself, it is possible to find justifications for all of the crucial elements of cosmopolitan right in Kant’s texts. Earlier in the *Metaphysics of Morals*, Kant establishes several principles which provide the necessary normative underpinnings. When combined with the argument as reconstructed by Tieftrunk, these principles yield a justification for the full scope and content of cosmopolitan right. That is, earlier in the *Metaphysics of Morals* Kant has already provided arguments for both the right to be where one is involuntarily put by fate and the right to address others in order to initiate interaction.

First, in his introduction of the idea of the original community of the earth, Kant discusses the “right to be there where nature or chance (without [one’s] will) has placed [one]” (MdS 6:262). In the unpublished draft for the Doctrine of Right, he elaborates on the presuppositions of the argument,

writing that being in some place is necessary for the very existence of human beings, and thus, that people have an innate right to be on the soil on which they are placed through no choice of their own. This is so because denying them this right would mean denying them their very existence and their freedom (R MdS 23: 318).¹⁵ In other words, humans have a right to freedom, freedom requires existence, and human existence requires a place on the globe; therefore, one has a right to be where one cannot help being and not to be sent away if this would lead to one's "demise."

Second, in his discussion of the innate right to freedom, Kant addresses the right to attempt community and communication. The right to freedom is not acquired but belongs to every human being innately – that is, by birth alone. It is the right to "*freedom* (independence from the coercive choice of another), insofar as it can coexist with the freedom of every other in accordance with a universal law" (MdS 6:237). It includes "*innate equality*, that is, the independence not to be bound by others to more than one can in turn bind them" (MdS 6:237). Immediately after introducing the innate right to freedom, Kant argues that this right implies the authorization to "do to others anything that does not in itself diminish what is theirs so long as they do not want to accept it" (MdS 6:238). He explicates this by saying that the innate right to freedom includes the right to address others and communicate one's thoughts; but it is up to them to decide whether to listen or to believe what they hear. This principle, when transposed to the domain of cosmopolitan right, would seem to provide directly the underpinnings for the right to attempt to initiate communication or community of all kinds – including but not limited to potential property transactions. The attempt itself does not, according to Kant, "in itself diminish what is theirs," and it is up to those addressed to decide how to react.

If this interpretation is correct, it means that the innate right to freedom and the idea of the original community of the land together provide a grounding for cosmopolitan right. Using both principles, it is possible to derive precisely the three central aspects of the hospitality principle: that states and individuals have a right to attempt to visit elsewhere, that prospective visitors have no right to intrude into the sphere of freedom of others against their will, and that neither states nor individuals have the right to refuse prospective visitors when this would lead to the annihilation of their freedom (their demise).

One might worry, however, that the rights granted under cosmopolitan right lead to a problematic tension with private property rights. For example, it might seem that granting shipwreck victims the right to be on the land where nature has put them is in conflict with the rights of the owner of the property on which the sailors landed. After all, to own an object means that one is wronged if someone else disturbs one's use of the object (cf. MdS 6:245–57), and what is granted to the sailors is exactly the right to use the piece of land on which they washed ashore. Therefore, the injunction to let the stranger use this property, even if it is perhaps a piece as small as the space needed for his or her body, seems to constitute an infringement upon the property rights of the owner. It might seem as if claims founded on the innate right to freedom would come into conflict with claims founded on acquired property rights.

One could try to solve this problem by pointing out that sailors do not *acquire* any property when they are entitled to the temporary use of the property of another, be it a foreign harbor in a storm, or the shore on which they are shipwrecked. And they do not gain the right to the *full* use of the land, but just the right to be on it. While all of this is true, however, it does not completely address the problem at issue here, because it does not solve the difficulty that foreigners still interfere (however minimally perhaps) with the right of the property owner to determine how and by whom the property is *used*.

I would like to suggest that the answer to this problem can be constructed by returning to the analogy that Kant used in defining cosmopolitan right, namely, the analogy between a state and the “universal state of humans.” He conceptualizes the relation between states and foreign individuals, under cosmopolitan right, by analogy with the relation between the citizens of a state. This makes it possible to construe the justification of the requirement to let foreigners use part of one's property (for the sake of their survival) by analogy with the justification of the imposition of taxes by the state (for the sake of the survival of those citizens who are unable to provide for their own livelihood). In his discussion of constitutional right, Kant argues that a government has the right to impose taxes on the people in order to provide for the poor and to maintain foundling homes (MdS 6:326). I discuss Kant's argument for this claim in more detail in [Chapter 5](#). But even without going into detail here, it should be clear that if the state may rightfully tax the wealthy in order to provide support for fellow citizens who cannot provide

for their own basic needs, then, because the “universal state of humans” (see section 1) is analogous to a state, an analogous justification can be given for demanding that some people let their property be used for the sake of preserving the life of their fellow citizens in this cosmopolitan realm. In the case of cosmopolitan right, Kant does not advocate a world-wide taxation scheme, but he does argue that foreigners should be allowed to use someone else’s property temporarily, if and insofar as this is necessary for their continued existence. Both in the case of particular states and in the case of the “universal state of humans,” then, property rights are limited by the requirement to ensure the sustenance of those whose existence would be endangered otherwise and who have been put in that situation by forces beyond their control.

4 THE PROBLEM OF INSTITUTIONALIZATION

Kant says virtually nothing about the *institutionalization* of cosmopolitan right. He makes a few brief comments about the “spirit of trade” which “guarantees” the realization of cosmopolitan right (ZeF 8:365), and he acknowledges that peoples (presumably “as states”) are the ones to enact agreements regarding cosmopolitan right (MdS 6:352). Briefly put, Kant’s argument regarding the role of the spirit of trade is as follows: monetary greed will encourage states to promote peace, because peace is more hospitable to trade than war, trade is a way for states to increase their income, and all states see the latter as being in their interest. Promoting peace, in turn, requires negotiations, which require peaceful forms of international interaction, which is what cosmopolitan right is all about (ZeF 8:368).

Two questions arise here, however. The first question is what form *enforcement* can take in the case of cosmopolitan right. This is important because Kant sees “*Recht*” (right) and the use of coercion as two sides of the same coin (MdS 6:231–32). If coercive enforcement were impossible in principle, this would invalidate the very designation “right” in “cosmopolitan right.” The second question concerns what cosmopolitan *citizenship* consists in, and in particular, whether and how humans and states can jointly self-legislate cosmopolitan law. Given Kant’s republican commitments, it seems that if they are indeed conceived as “citizens of a

universal state of humankind” they would somehow all (and equally) be entitled to co-legislate cosmopolitan right. But it is not immediately clear what a republican institution could look like that included “humans and states” as “citizens.” Kant himself barely addresses this issue, but it is possible to construct at least a sketch of an answer on the basis of his remarks.

In the discussion of his view on trade, in [Chapter 5](#), I spell out Kant’s claim that the spirit of trade leads to the functional equivalent of a league of states. One difficulty with Kant’s appeal to the spirit of trade in the present context, however, is that it provides at most a partial solution to the problem of the *enforcement* of cosmopolitan right. This is because there is nothing in the pursuit of commercial gain as such that implies hospitality rights for *all humans* (not just sales representatives and others who are related to trade, but also refugees, tourists, and many others). Indeed, for the sake of commerce, states may accept violations of cosmopolitan rights by their trading partners; there is nothing *in the spirit of trade* that would lead them to insist on better behavior on the part of their trading partners. Furthermore, trade has also itself been a contributing factor to warfare, for example in the case of wars over markets or raw materials. Mutual self-interest may often provide an incentive to avoid war between states and protect commercial interaction, but not always, and it is not enough to guarantee all hospitality rights for everyone. Thus, additional means are needed to “guarantee” cosmopolitan rights universally and across the full spectrum of such rights.

An appeal to recent history may fill the gap, however, because this has shown that it is not impossible for such rights to be increasingly codified and recognized. Many of the requirements of cosmopolitan right, as identified by Kant, have in fact been explicitly adopted in international legal documents and institutions.^{[16](#)} The right of peoples to self-determination, as articulated in the UN Charter and in resolutions of the UN General Assembly, prohibits colonial conquest and the occupation of territories of other peoples. Furthermore, the status of individuals “as persons” (and not only as subjects of particular states) has been strengthened significantly, especially but not only through human rights law. A prominent example is the 1951 Geneva Convention relating to the Status of Refugees^{[17](#)} and the 1967 Protocol, stating the rights of refugees,

including the right of non-refoulement. Another example is the recently established International Criminal Court.

These changes are striking. A century ago, individuals appeared as the subjects of rights and responsibilities under international law only in their capacity as citizens of states.¹⁸ For the enforcement of their rights, individuals had to appeal to a national legal order (either their own or a foreign one). Moreover, states were granted sovereignty and freedom from interference in their internal affairs. This gave sovereign states a pretext, if not an authorization, to deal with their subjects as they saw fit. Over the past century, in part in reaction to vast abuses of this principle, the status of individuals in international law has been strengthened. As Alfred Verdross and Bruno Simma put it:

The newest developments in international law have broken up the absolute subjection of people to the state. Not only does the content of an ever growing number of treaties in international law serve the *interests* of individual humans or certain groups, but individuals are also being elevated immediately to bearers of *rights* under international law, and they are put in a position to *assert* these rights at the level of international law themselves.¹⁹

These new rights are not tied to the individual's nationality. The improved legal status of refugees can again serve as an example. The prohibition against refusing or deporting refugees if that endangers them for reasons of their religion, race, political views, nationality, or membership in a certain social group applies to humans regardless of their national affiliation. The prohibition, it should be added, does not apply to endangerment through hunger, poverty, or disease, nor does it imply a positive right to receive asylum. One may request asylum, but the decision to grant it is still left to the sovereign state. Nevertheless, persons endangered for any of the reasons first mentioned are legally protected, and protected *as human beings*.

Individuals do not only have new rights, but they can also be held responsible for crimes under international law in a new way, even when their actions are legal within their own state and their state has not signed treaties prohibiting such behavior. Examples are crimes against humanity, the *delicta iuris gentium* (such as slave trade, genocide, and terrorism, many of which have been the subject of treaties since the 1970s). The recent creation of the International Criminal Court, moreover, provides new means

of enforcement. The Court is still in its infancy and its effectiveness and consistency in enforcing these rights still shows many imperfections. In the present context, however, the crucial point is that in such cases international law cuts through the shield of state sovereignty, creating a new level of legal responsibility for individuals, as well as the coercive means to enforce and punish – in principle at least.²⁰

Enforcement is negatively affected by the unequal distribution of money and power between states, in a way that Kant did not foresee or at least did not discuss. While some barriers to global interaction are lowered, others remain prominent. The existing economic and political inequalities between rich and poor, both within states and between states, still form a massive obstacle to the realization of equal cosmopolitan citizenship for all. The institutionalization and implementation of cosmopolitan right ultimately depend on states, and differences in influence, wealth, and internal political make-up of the states have a clear effect on their willingness to work together and pay the expenses of the institution or to act in given cases. The fate of cosmopolitan right thus depends largely on whether its enforcement coincides with the interests of the powers that be. There is no certainty that more consistent enforcement will develop. But compared with Kant's own times the world has come a long way, and this by itself provides grounds for assuming that the approximate realization of the ideal is not unfeasible. The examples of recent developments show that the concept of cosmopolitan citizenship can indeed be given substance and that it is, as Kant claims, "no fantastic or exaggerated conception of right" (ZeF 8:360).²¹

As far as cosmopolitan citizenship is concerned, the fact that, on Kant's account, *states* are the ones who enter into agreements regarding cosmopolitan right and who pass the laws affecting the cosmopolitan rights of *individuals*, seems to lead to asymmetries in his account of world citizenship, as Seyla Benhabib has argued.²² These asymmetries certainly exist, but the analogy with the state and state citizenship can be used, again, to lend Kant's notion of cosmopolitan citizenship of individuals a bit more substance. In "republics" (in Kant's sense), individuals co-legislate indirectly, by electing representatives. In a parallel fashion, one could conceive of Kant's cosmopolitan right as indirectly democratic, and the term "citizen" in "world citizen" does not have to be read merely metaphorically, if the states concerned are republican. For in a republic, those who determine the laws that are to enact cosmopolitan right are

representatives who are elected by and accountable to their constituents. Thus, individual citizens can at the same time be conceived as world citizens who co-legislate indirectly, through representatives who participate in forming and governing institutions at the global level.

Furthermore, individuals can exercise cosmopolitan citizenship through participating in a global network of overlapping public spheres and international organizations. Kant sees a tight connection between the exercise of citizenship and participation in public deliberation.²³ Today, more advanced means of communication provide the material conditions for a global public sphere. There is world-wide political, scientific, and cultural interaction, ranging from internet groups to large-scale United Nations conferences, to scholarly and scientific cooperation.²⁴ This, too, is part of world citizenship, insofar as it concerns deliberation about matters of global concern and about the proper way to institutionalize regulation at the global level.

Finally, one should not forget Kant's statement that perpetual peace requires the realization of public right in each of the three areas of constitutional, international, and cosmopolitan right. Kant claims that they are fully realizable only *in conjunction* with each other. As we saw in the previous chapter, the realization of republics bears on the realizability of the world-wide international federation (the "world republic") because of their inherent tendency toward peace. The realization of an international federation, in turn, helps us to conceive of the implementation of cosmopolitan right. If the member states are required to integrate the principles of cosmopolitan right into their own constitutions,²⁵ this would be an important step toward the realization of such rights. It might seem as if this would subsume cosmopolitan right under international right, at least in practice, and that such an account would hence fail to show how "states and individuals" may co-legislate. Again, however, this problem can be solved by reference to Kant's republicanism. For when states are republican and these republics join a global federation for the purpose of promoting peace, as Kant's normative ideal has it, then cosmopolitan right can be co-legislated by republics and individuals (namely, by individuals indirectly, in their capacity as citizens of republics). In the ideal constitutional federation with coercive powers, hospitality rights can be secured if the republican peoples integrate these within their own legal systems and the international federation enforces states' respect for cosmopolitan right.

The three elements central to Kant's mature political cosmopolitanism, discussed in the first three chapters of this book, correspond to the three definitive articles in *Toward Perpetual Peace* and to the subdivision into constitutional, international, and cosmopolitan right found in the *Metaphysics of Morals*. In both works, Kant argues that republicanism, federalism, and cosmopolitan right must be realized in conjunction. Each of the three needs to be implemented with an eye to the implementation of the others.

As I mentioned at the outset, the entire discussion in this chapter concerns only Kant's views from about 1795 on, because the category of cosmopolitan right does not occur in his earlier work. In the next chapter, I return to some of Kant's earlier writings, to thematize a problem indicated in the first and second chapters, but which needs a much more detailed discussion – namely, Kant's changing views on race and their importance for understanding his cosmopolitanism. This will show that Kant introduced the notion of cosmopolitan right when he gave up his endorsement of a racial hierarchy.

- 1 Wilhelm Traugott Krug, *Aphorismen zur Philosophie des Rechts* (Leipzig: Roch, [1800](#)), 168.
- 2 As was argued in the previous chapter, the term “universal state of humankind” should not be taken to imply that Kant advocates the establishment of a world state that would absorb existing states.
- 3 As Byrd and Hruschka have pointed out, in the *Metaphysics of Morals* Kant's emphasis is more on peoples than on individuals. But the reference to “citizens of the earth” implies that Kant still regards individuals as bearers of cosmopolitan rights. See B. Sharon Byrd and Joachim Hruschka, *Kant's Doctrine of Right: A Commentary* (Cambridge University Press, [2010](#)), 205–11. On the notion of “people” in a political, not nationalist sense, see my discussion in [Chapter 2](#), section 3.
- 4 As, for example, in Mary Gregor's translation of the *Metaphysics of Morals*, MdS 6:352.
- 5 E.g., Kevin Thompson, “Sovereignty, Hospitality, and Commerce: Kant and Cosmopolitan Right,” *Jahrbuch für Recht und Ethik / Annual Review of Law and Ethics* 16 ([2008](#)): 305–19; Katrin

Flikschuh, *Kant and Modern Political Philosophy* (Cambridge University Press, [2000](#)), 189. Byrd and Hruschka claim that “cosmopolitan law for Kant is indeed the idea of a perfect World Trade Organization,” *Kant’s Doctrine of Right*, 7, cf. 207–11.

- [6](#) For a different interpretation, namely, that the term *Besuchsrecht* (visiting right) refers to a *right* to personal interaction with local inhabitants on the territory of another state without any involvement of that state (e.g., at the border), see Rainer Keil, *Freizügigkeit, Gerechtigkeit, demokratische Autonomie: Das Weltbürgerrecht nach Immanuel Kant als Maßstab der Gerechtigkeit geltenden Aufenthalts-, Einwanderungs-, und Flüchtlingsrechts* (Baden-Baden: Nomos, [2009](#)), 54–58.
- [7](#) Kant’s position is here diametrically opposed to Vitoria’s, who argued that the Spanish war against the American Indians was justified because they should not have denied the Spanish the right to enter their territory. See Francisco de Vitoria, “*De Indis*, Q.3, de tit. leg., art.1,” in Francisco de Vitoria, *Political Writings*, ed. Anthony Pagden and Jeremy Lawrance (Cambridge University Press, [1991](#)), 278.
- [8](#) Sankar Muthu, *Enlightenment against Empire* (Princeton University Press, [2003](#)), 172–209.
- [9](#) On refugee rights, see Guy S. Goodwin-Gill and Jane McAdam, *The Refugee in International Law* (Oxford University Press, [2007](#)).
- [10](#) See, for example, Oliver Eberl, *Demokratie und Frieden: Kants Friedensschrift in den Kontroversen der Gegenwart* (Baden-Baden: Nomos, [2008](#)), 249 and 252.
- [11](#) Peter Niesen, “Colonialism and Hospitality,” *Politics and Ethics Review* 3 ([2007](#)): 90–108.
- [12](#) On the historical background of Kant’s statements about the Chinese and Japanese, see Oliver Eberl, *Demokratie und Frieden*, 235–44. On Kant’s defense of the right to refuse to engage in cultural interaction, see also Timothy Waligore, “Cosmopolitan Right, Indigenous Peoples, and the Risks of Cultural Interaction,” *Public Reason* 1 ([2009](#)): 27–56.

- [13](#) Johann Heinrich Tieftrunk, *Philosophische Untersuchungen über das Privat- und das öffentliche Recht zur Erläuterung und Beurtheilung der metaphysischen Anfangsgründe der Rechtslehre vom Herrn Prof. Imm. Kant* (Halle: Rengersche Buchhandlung, [1798](#)), vol. II, 576–77.
- [14](#) Tieftrunk, *Philosophische Untersuchungen*, 575–77.
- [15](#) On Kant's doctrine of the innate right to freedom, see Leslie Arthur Mulholland, *Kant's System of Rights* (New York: Columbia University Press, [1990](#)), 199–231, and Arthur Ripstein, *Force and Freedom: Kant's Legal and Political Philosophy* (Cambridge, MA: Harvard University Press, [2009](#)), chapter 2.
- [16](#) See also Sharon Anderson-Gold, *Cosmopolitanism and Human Rights* (Cardiff: University of Wales Press, [2001](#)).
- [17](#) July 28, 1951. *United Nations Treaty Series*, Vol. 189, 150ff. This was not the first treaty on the status of refugees but the result of a development that started in the early decades of the twentieth century.
- [18](#) As Malcolm Shaw points out, if one goes back in time to the natural law origins of classical international law, states were not yet the exclusive subjects of international law. Malcolm N. Shaw, *International Law* (Cambridge University Press, [2008](#)), 258.
- [19](#) Alfred Verdross and Bruno Simma, *Universelles Völkerrecht: Theorie und Praxis* (Berlin: Duncker & Humblot, [1984](#)), 38. See also Shaw, *International Law*, 257–59.
- [20](#) One question is how this could be reconciled with Kant's claim that heads of state cannot be punished for what they did in office (MdS 6:321 n.). I believe that this claim refers to punishment *within* the state, in terms of laws of that state. An international criminal court, by contrast, judges on the basis of laws that transcend the laws of states, and if a head of a state to whom this higher law applies acts in violation of these laws, there is no theoretical problem in allowing punishment of the head of state.
- [21](#) This point is elaborated by Seyla Benhabib in *Another Cosmopolitanism, with commentaries by Jeremy Waldron, Bonnie*

Honig Will Kymlicka, ed. Robert Post (Oxford University Press, [2006](#)), 13–44.

[22](#) Benhabib, *Another Cosmopolitanism*.

[23](#) Cf. “What is Enlightenment?” and “On the Common Saying,” part 2.

[24](#) Cf. also James Bohman, “The Public Spheres of the World Citizen,” in *Perpetual Peace: Essays on Kant’s Cosmopolitan Ideal*, ed. James Bohman and Matthias Lutz-Bachmann (Cambridge, MA: MIT Press, [1997](#)), 179–200.

[25](#) Sharon Anderson-Gold, “Cosmopolitan Right – Kant’s Key to Perpetual Peace,” in *Kant’s Perpetual Peace: New Interpretive Essays*, ed. Luigi Caranti (Rome: Luiss University Press, [2006](#)), 137–47, here 147, and Angela Taraborrelli, “The Significance of Kant’s Third Definitive Article,” in the same volume, 149–59, here 155.

Chapter 4 Kant and Forster on race, culture, and cosmopolitanism

Most of the old divisions of the human species have long been rejected anyhow. Noah's sons, the four parts of the world, the four colors, white, black, yellow, copper red – who still thinks of these outdated fashions today?

Georg Forster, "Guiding Thread for a Future History of Humankind," 1789, 8:193

1 INTRODUCTION

In 1788, shortly after the publication of the *Critique of Practical Reason*, Kant published an essay in which he claimed that people from Africa and India lack a "drive to activity." Without the mental capacities to be self-motivated and successful in northern climates, they never become anything more than drifters. Kant writes that nature, whose wisdom he praises, discourages the migration of races across the globe by making them ill-equipped to change from one climate zone to another, and "especially [for] the exchange of a warm climate for a cold one" (TPP 8:173). He adds a footnote in which he endorses a pro-slavery text, citing with approval the criticism of a "knowledgeable man" who opposed a proposal to free black slaves on the basis of their incapacity for self-motivated activity (TPP 8:174 n.).¹ They can work, but they cannot *make themselves* work. Native Americans, he goes on, are a race (or rather, a semi-race) stunted in its development because their ancestors migrated to a different climate before they had fully adapted to their earlier environment. As a result, they are weak, inert, "incapable of any culture," and they occupy the lowest level of the racial hierarchy that Kant claims to have determined:

That their temperament has not become *entirely* adequate to any climate can also be inferred from the fact that it is hard to point to any other reason why this race, which is too weak for hard labor

and too indifferent for industrious work, and which is incapable of any culture² even though there are enough examples and encouragement in the vicinity [namely, the example of the European colonial settlers], stands far below even the Negro, who occupies the lowest of all other levels which we have mentioned as racial differences. (TPP 8:175–76)

Kant's unstated assumption, made explicit elsewhere, is that "whites" occupy the top level of this hierarchy.³

This endorsement of a racial hierarchy is found in Kant's article, "On the Use of Teleological Principles in Philosophy." This article contains an extensive reply to criticisms raised by Georg Forster (1754–94) in response to Kant's 1785 essay on race, "Determination of the Concept of a Human Race." In this essay and in previous texts on the topic, Kant had defined the concept of race and provided a model for explaining racial differences among humans. Forster, who had become famous with a book detailing his three-year voyage around the world with Captain Cook and who had had extensive contacts with non-Europeans, found that Kant tried to bend the facts to fit his teleological theory, a theory which Forster regarded as itself fundamentally mistaken. He published his criticisms of Kant in 1786, and Kant reacted in 1788 with the article mentioned above.

The debate between Kant and Forster is intimately related to questions concerning cosmopolitanism. It concerns the question whether the observable physical and cultural differences between groups of humans in different parts of the world reflect basic "natural" divisions within humanity that affect their status as world citizens, to the point where racial differences might even justify slavery and colonialism. Or should these differences instead be interpreted as forms of diversity among equals? The texts suggest that until the early 1790s, Kant endorsed a racial hierarchy, was opposed to race mixing, viewed nature as discouraging migration in some races, and failed to criticize slavery and colonialism, even going so far as to endorse, in his 1788 reply to Forster, an anti-abolitionist text.

As I will show in this chapter, however, Kant radically improved his position on race during the 1790s. Kant's racism is not widely known in the literature, and the fact that Kant had second thoughts on the issue of race has gone entirely unnoticed. Insofar as they pay any attention to the issue at all, commentators regard Kant's position on race as stable during the 1780s and 1790s. Authors differ on whether Kant was a consistent inegalitarian or

an inconsistent egalitarian, but they do not think of him as changing his views in the middle of the “Critical” period. Authors such as Emmanuel Eze, Robert Bernasconi, and Charles Mills highlight Kant’s white supremacist comments and their importance for recognizing that his moral theory is less-than-universalist.⁴ Other commentators, for example Robert Loudon, Thomas McCarthy, and Thomas Hill and Bernard Boxill, argue, in different ways, that Kant’s main theory as defended during the 1780s and 1790s is truly universalist, but that Kant himself fundamentally contradicts this theory with his defense of a racial hierarchy.⁵ A third view, defended by Sankar Muthu, is that Kant abandoned the racist views from his pre-Critical period around the time of the *Critique of Pure Reason*.⁶ Against these views, I argue that Kant defended a racial hierarchy until the early 1790s, and that he changed his mind before the publication of *Toward Perpetual Peace*. On the basis of this result, I then discuss Kant’s views on cultural pluralism.

Forster, for his part, became a champion of cultural diversity and moral equality. With his critique of Kant’s essay on race, he started to develop a version of moral cosmopolitanism that emphasize the importance of cultural pluralism. Forster held that one should value the rich variety of human cultures and recognize these in their particularity, and that cultural diversity should not be misinterpreted in terms of (“racial”) variations in innate ability. Different cultures should instead be seen as diverse manifestations of universally shared predispositions in human nature. A great admirer of Johann Gottfried Herder (1744–1803) (although he wished that Herder were a bit more methodical⁷), Forster expressed the fear that the use of universal rules and standards for cultural achievement would lead to “the destruction of all individuality” as well as to “petty uniformity, mediocrity, and emptiness” (LaB 7:51). The challenge is, according to Forster, to reconcile the moral equality of all humans with existing cultural diversity, without turning universalism and egalitarianism into uniformity and without turning the affirmation of diversity into relativism or racial hierarchy.

I focus on the exchange between Kant and Forster for several reasons. It makes it possible to examine the relationship between cosmopolitanism and race in their work; it provides a context for a better understanding of the passages quoted at the beginning of this chapter; it supports and frames the thesis that Kant radically changed his views; and it highlights important differences in their views on cultural pluralism. I start with Kant’s early

views on race and his 1785 essay “Determination of the Concept of a Human Race” (section 2) and subsequently outline Forster’s criticism in his 1786 essay “Something More on the Human Races” (section 3). I then discuss Kant’s 1788 reply in “On the Use of Teleological Principles in Philosophy,” and Forster’s reaction to this essay (sections 4 and 5). In the subsequent sections, I show that Kant did indeed have second thoughts on race in the first half of the 1790s, and that his final position on the matter is a more consistent form of cosmopolitanism. I argue that he gives up the thesis of racial hierarchy (though not the notion of race), drops his opposition to race mixing, emphasizes the equal moral and juridical status of humans of all races, and actively starts to criticize slavery and colonialism (section 6). I also discuss Kant’s treatment of national character and his comments on Judaism, both of which might seem to point in a different direction (section 7). In section 8, I discuss how Kant’s later views enable him to attribute genuine importance to cultural diversity within the framework of his cosmopolitanism.

2 KANT’S EARLY VIEWS AND HIS 1785 ESSAY ON RACE

When he started his theoretical work on the concept of race in the 1770s, Kant had already expressed his views on the inferiority of non-whites on several occasions. One of the most notorious examples is his remark, in *Observations on the Beautiful and the Sublime* (1764), that the fact that a negro carpenter was black from head to toe clearly proved that what he said was stupid (BSE 2:255). Kant also cited Hume’s comment⁸ that no Negro had ever shown any talent and concluded that the differences between blacks and whites “are essential” and seem to be “as large with regard to mental powers as they are in color” (BSE 2:253).

The first text that Kant dedicated entirely to a theoretical examination of questions of race was originally published in 1775 in the form of a course announcement, then amplified in 1777 and entitled “Of the Different Human Races.” In this essay, Kant connects race with common ancestry and certain bodily properties such as skin color. He defines racial features as heritable traits that are perpetuated through generations regardless of geographical location and that are necessarily passed onto offspring, such that procreation with a human of a different race leads to a blending of

characteristics. Kant's focus was on features such as skin color, facial traits, and hair structure. Still, he adds comments of a different sort as well, claiming, for example, that blacks are lazy and Native Americans have a "half-extinguished vital energy" (VRM 2:438), and even remarking on their respective usefulness as slaves (for example: "for field work one needs Negroes").⁹

Statements of a similar nature are found in Kant's lectures on anthropology and on physical geography. In anthropology lectures from (probably) 1781–82, Kant asserts that Native Americans are the lowest of the four races, as they are completely inert and incapable of being educated at all. Kant places the "Negroes" above them, claiming they are capable of being trained¹⁰ to be slaves (but incapable of any other form of education) (VA 25.2:1187). Kant's acceptance of non-white slavery is apparent also in passages such as the following, from his 1780s notes for his anthropology lectures: "Americans and Negroes cannot govern themselves. Thus, [they] serve only as slaves." (R 15:878). The "Hindus" are superior to the Negroes, Kant claims, because they can be educated, but they can be educated only in the arts, not in the sciences and other endeavors that require abstract concepts (VA 25.2:1187). He writes that the "white" race is superior and indeed the only non-deficient race ("the race of whites contains all incentives and talents ...") and that whites are "the only ones who always progress towards perfection" (R 15:878). These comments are not isolated remarks; Kant makes a large number of similar pronouncements in the notes for his lectures on anthropology and physical geography.¹¹

Perhaps Kant's views on racial hierarchy and the deficiencies of non-whites also explain his ambiguous comment, in his 1784 essay "Idea for a Universal History," that Europe "will probably eventually legislate for all other [parts of the world]" (IaG 8:29). Given that Kant sketches, in this essay, an idea of progress, according to which history is teleologically oriented toward the ideal end state of a "cosmopolitan condition," the fact that Kant mentions European pan-legislation as a probable end result of history is quite significant. It means that this remark cannot be downplayed as "merely" an empirical prediction of an unfortunate but probable future.¹² Moreover, the comment is of course fully compatible with the racial hierarchy that Kant defended at that time – not least with the quoted remark that Native Americans and blacks cannot govern themselves. In light of

such comments, it is not surprising that he would regard their government as probably a (“white”) European task. Consistent with this, Kant’s 1780s texts do not contain a critique of colonialism.¹³

Kant’s 1770s and 1780s writings on race met with criticism from several authors. In the second part of his *Ideas for a Philosophy of the History of Humankind* (1785), Herder rejected Kant’s concept of race on the grounds that both the criterion of common ancestry and that of skin color fail to lead to a clear-cut division between four or five races: either one takes a very wide perspective, and then all humans share the same ancestors, or one interprets the criterion of common ancestry more narrowly, but then one ends up with an infinitely large number of races, many of which would have the same color.¹⁴ Herder also offered much evidence intended to disprove race-related hierarchies, e.g., by emphasizing the culture, strength, and energy of Native Americans.¹⁵

Kant, in his 1785 review of Herder’s work, mentions their disagreement. Regarding Herder’s rejection of the concept of race Kant remarks that this must mean that the concept of race was not yet “determined” precisely enough for Herder (RezH 8:62). Kant proceeded to write the essay “Determination of the Concept of a Human Race.” It is not implausible, then, to assume that this essay was at least in part a response to Herder.¹⁶ Both Kant’s Herder review and this new essay on race were published in November 1785.

In “Determination of the Concept of a Human Race,” Kant lays out a race theory that deals strictly with physical differences among humans. He does not mention any race-related differences in moral or cognitive capacities. Although the paper is clearly written from a “white” perspective and for a “white” audience (as indicated by Kant’s use of the words “we” and “us,” or his assumption that blacks necessarily smell bad), there is no indication of a racial hierarchy with regard to moral standing or intellectual, moral, and psychological abilities. In fact, Kant states early on that all humans share the essential human predispositions, and that these are therefore irrelevant for the discussion of race:

Properties that belong to the species itself in its essence, and which are hence common to all human beings as such, are inevitably hereditary; but because human beings do not differ

with regard to these properties, these will be kept out of the discussion of the division of the *races*. (BBM 8:99)

Thus, one might think that in “Determination of the Concept of a Human Race,” Kant had dropped his earlier view that racial differences included not only physical but also intellectual, moral, and psychological differences. As will become clear below, this inference is not warranted. First, however, I discuss the main tenets of Kant’s physiological race theory as developed in this essay.

Kant’s guiding questions in this article concern the theory of heredity. They are pre-Mendelian eighteenth-century puzzles like this one: Why is it that when a blue-eyed and a brown-eyed white human procreate, the child’s eyes are either blue or brown, whereas when a black-skinned and a white-skinned human procreate the color of the skin of the baby may be something in between? Kant’s proposal is that the first case concerns *varieties* within one race, and in such cases the offspring does not necessarily inherit the features of both parents; the second case, by contrast, concerns *racial* features, which are necessarily inherited.

Conceptually, Kant situates “race” between “species” and “variety.” Physical properties that are necessarily inherited, but that are not characteristics of the species as a whole, define different races. Departing from his earlier views, Kant now claims that only skin color constitutes such a physical property. A “race,” then, denotes a subset of the species that is characterized by necessarily heritable characteristics which are not characteristics of the species as a whole (BBM 8:99, 100), and which hence indicate common ancestry.

Another difficulty that Kant seeks to resolve with his race theory is that if one assumes, as many European theorists at the time did, that climate and local conditions determine race, it is impossible to explain why one does not always find the same race in different regions with the same climate. For example, one would expect to find similar races in the tropical rainforests in Africa and South America, yet this expectation is not met.

Kant claims to be able to explain this phenomenon, borrowing an idea from Buffon,¹⁷ by stipulating that there once was an original “stem species” (*Stammgattung*) in one region of the world. This stem species possessed the predispositions for all the different racial features; when humans subsequently started to inhabit other regions of the earth, these predispositions developed differently in accordance with the requirements

of the climates and conditions in these different regions.¹⁸ Once this developmental process was complete, however, it could not be undone, and this is why inhabitants of one region, and even their offspring, do not change color after they move to another region. There can be different races in regions with similar climates, then, if one or more of these regions became populated by a race that had already developed (part of) its predispositions elsewhere.

No part of this physiological account has any clear bearing on moral status. How, then, does Kant's race theory relate to his cosmopolitan ideal of the equality of all humans as members of a moral community? In particular, may we conclude from the fact that Kant explicitly limits his discussion of race to physical properties that he has now given up the hierarchical account according to which whites are superior to all others?

Why this inference is not warranted can be gleaned from a 1779 letter to Johann Jacob Engel, the editor of the journal *Philosoph für die Welt*. In this letter, Kant promises Engel a new piece on race.¹⁹ This letter indicates that Kant believed that the "physical" description of the races could be separated from their "moral characterization." Describing his plans for the essay, and reassuring Engel that the essay will not be too dry for his readers, Kant writes: "Moreover, the attached principles of a moral characterization [*moralische Charakteristik*] of the different human races will serve to satisfy the taste of those who do not particularly pay attention to the physical aspects" (Letter to Engel, July 4, 1779, 10:256). The term "moral" is here used in the broad sense of "relating to behavior," and a "moral characterization" is exactly what Kant discussed in his lectures on anthropology under the heading of the "character of race." This section typically included his hierarchical account of the mental and agential capacities of the races. Apparently, Kant regarded the issue of "moral characterization" as something of an optional add-on, included to satisfy the taste of a broader audience, but not part of the *physical* theory of race itself, and hence as something that might or might not be "attached." In his 1785 race essay, Kant chose to leave it out after all. How exactly one can separate the physical aspects from the intellectual and agential capacities, and especially how the latter can be differentially inherited by race if they are non-physical, is a question Kant does not address. What is important in the present context is that Kant believed that one could separate the physical race theory from the so-called moral characterization. For this means that

we should not infer from the fact that he did not include a moral characterization of the races in this essay that he did not subscribe to one at the time. And indeed, as mentioned at the beginning of this chapter and as will be elaborated below, Kant's racial hierarchy resurfaces a few years later in "On the Use of Teleological Principles in Philosophy" (1788).

Whether Kant's "determination" of the concept of race satisfied skeptics such as Herder is highly doubtful. Kant did not solve the problem of demarcation, because his emphasis on skin color still raised the question of where to draw the lines between races.²⁰ His assumption of necessarily heritable characteristics did not convince everyone either, as can be seen from the scathing criticisms of Kant's race theory in a 1786 paper by Johann Daniel Metzger (1739–1805). Metzger, a professor of medicine at the University of Königsberg, argues that Kant's theory runs counter to the most basic principles of modern physiology. At any stage in human history, he writes, accidental causes *can* produce changes that are subsequently heritable, and *no* feature is ineradicably heritable.²¹ He thus regards the basic assumptions on which Kant's definition of race rests as mistaken and outdated. He claims that the theory would be worthy of ridicule: "I would almost like to laugh a bit about these white, black, red, and yellow germs, if the requisite respect for the Professor did not prohibit me from doing so."²²

3 FORSTER'S REACTION IN "SOMETHING MORE ON THE HUMAN RACES"

The most prominent criticism of Kant's 1785 race essay – most prominent because it was published in Wieland's *Merkur*, the author was a well-known figure, and Kant wrote an extensive reply to it – came from Georg Forster. In his 1786 essay "Something More on the Human Races," Forster emphasizes his methodological disagreements with Kant. He bombards Kant with skeptical questions: if nature is designed so wisely, why does Kant discount the possibility that later migrants naturally adjust to their new environments (MR 8:150)? This seems to run counter to his own teleological model. And how do we know that certain characteristics are necessarily inherited? Our knowledge of the history of the species does not go back very far, so we have no way to ascertain that there are any such characteristics at all. How do we know that radical change is not possible in

the future? We cannot know a priori whether there are any features that are necessarily passed on, and we simply do not know enough to settle the matter empirically (MR 8:139). How can skin color differentiate between the races if there is so much variability in skin color within races that people of different races can have the same color (MR 8:140)? And why think that all humans stem from *one* stem species and *one* region? Perhaps, Forster ventures, there are several ancestral lines that emerged in different locations. He emphasizes that he does not have enough evidence to actually defend the thesis of polygenicism (MR 8:153), but he does not yet see any reason to rule it out.

In sum, Forster claims that Kant is too preoccupied with his teleological model and fails to take account of messy facts and empirical uncertainties. Forster rejects Kant's use of teleology outright. Quoting ironically from the first page of Kant's 1785 race essay, Forster mocks Kant for following the "newest rules of research, ... according to which one only finds in experience what one needs when one already knows in advance what one should be looking for."²³

Forster himself regards the physical differences between groups of humans as the result of external conditions and not as the result of different "germs" or "predispositions." He sees natural environmental influences as the causes of physical differences among human groups, whereas Kant viewed the environment as merely a trigger for teleological development.

Although Kant left out the "moral characteristic" of the races entirely from his 1785 essay, Forster ends his discussion of Kant's race theory with an impassioned moral appeal to all whites, writing that if they consider themselves so superior to the Africans they should provide them with education and development instead of relegating them to the animal kingdom and destroying them and their power of thought (MR 8:155).²⁴ Without defending polygenicism as such, he denies that it would invite abuse any more than does monogenicism. Forster answers this concern with a rhetorical question:

Let me ask instead whether the thought that blacks are our brothers has anywhere even once caused the raised whip of the slave-driver to be dropped? (MR 8:154)

Forster sent his manuscript to Wieland's journal, *Der Teutsche Merkur*. Probably because of his admiration for Herder and the fact that Kant had

just criticized Herder's views on race in his book review, Forster told Wieland that he would allow the *Merkur* to publish the paper on the condition that Herder would immediately get to read it.²⁵

4 KANT'S REPLY: RACE, GLOBAL MIGRATION, AND COSMOPOLITANISM

In 1788, Kant replied to Forster's criticisms in the essay "On the Use of Teleological Principles in Philosophy," published in the *Berlinische Monatsschrift*. Kant expresses a sense of being misunderstood by Forster and attempts to clarify the philosophical underpinnings of his theory. Whereas Forster had complained about Kant's failure to appreciate the importance of empirical issues, Kant now complains about Forster's failure to appreciate the importance of regulative theoretical principles, in particular, the teleological principle that nature is wisely ordered. Forster had ridiculed Kant's statement that one can find the necessary empirical evidence only when one knows in advance what one should search for, but he misses the point, says Kant, because "arranging experience *methodically* is the only thing that is called *observing*" (TPP 8:161). Proceeding methodically requires the use of certain guiding principles. And indeed, Kant claims, Forster himself is guided by certain principles too, such as naturalism and the endorsement of the "chain of being" theory. According to the latter view, there are only gradual differences between the kinds of entities in nature, with each natural kind forming a link in a great chain that stretches from the most basic elements to the most complex organisms (humans). In other words, Kant claims that Forster's objections to regulative principles show that his empiricism is methodologically naïve, and not carried through in his own practice.

Kant strongly rejects Forster's use of the chain-of-being model. He claims that his own teleological view of nature enables him to do justice to the fundamental difference between organisms and the rest of nature, whereas chain-of-being thinking does not and cannot acknowledge this radical difference, because it allows for gradual differences only (TPP 8:169, 179). Kant further criticizes Forster for assuming that there was more than one original human race, which, in Kant's eyes, runs counter to

reason's desire for unity (TPP 8:169). But he does not address any of the empirical issues raised by Forster.

Forster had claimed that Kant's teleological model, which holds that everything in nature is wisely arranged, runs into difficulties in the case of the races because Kant's race theory commits him to at least one important counter-purposive arrangement. If racial predispositions can develop only once to suit a particular climate and specific set of natural circumstances, people cannot adjust again to a later environment.

Kant's response highlights the relevance of his race theory for his cosmopolitanism, and this forms the context of the passages quoted at the beginning of this chapter. He insists that the arrangement is nevertheless purposive because it is not always good for people to migrate to other climates. As mentioned at the beginning of this chapter, he argues that nature *especially* discourages people from warm climates from moving to colder ones:

By the arranged adaptation to one's climate nature has prevented the exchange of [climates], especially the exchange of a warm climate for a cold one. For precisely this bad adaptation of the new region to what had already become the natural temperament of the inhabitants of the old region automatically keeps the latter from doing so [viz., from migrating to a new region]. (TPP 8:174)

Of course, it is circular to explain the purposiveness of nature's hindering trans-climate migration in terms of nature's making people ill-adapted for this kind of mobility. This may be why Kant adds a further stipulation that is supposed to explain *why* it is purposive for people from warm climates to be ill-adapted for trans-climate migration, namely, the stipulation that the non-white races are physically and mentally unfit for this kind of migration. Thus, he writes:

And where have the Indians or Negroes tried to spread in Northern regions? – Those who were driven away in that direction have never, in their offspring (such as the Creole *Negroes* or the *Indians* called Gypsies), yielded a type that was fit to be sedentary farmers or manual workers. (TPP 8:174)

Kant here re-attaches his "moral characterization" of the races to his physical race theory. He claims that some races are not just different but

inferior in crucial respects, referring to the different “levels” of the races and the various deficiencies of blacks, Native Americans, and Indians. He connects this claim with his thesis that the different races, once they have differentiated out, cannot adapt to new circumstances.²⁶ And he interprets the arrangement in teleological terms, that is, in terms of purposive design. One problem is that Kant’s argument remains circular. More important in the present context, however, is that his comment about the “Indians” (“Gypsies”) and “Negroes” makes clear that his assumption that the non-white races have inferior agential capacities plays a crucial role in his teleological account of race, in explaining why the stability of racial features is purposive. It is no coincidence, then, that the footnote connected to the passage just quoted contains the endorsement of an anti-abolitionist text, as mentioned at the start of this chapter.

The practical implications that Kant derives from the purported racial differences show that the racial hierarchy cuts deeper than a “mere” difference in temperament (such as the differences in temperament attributed to the French and the Germans, ApH 7:311–20). His endorsement of the pro-slavery text²⁷ goes far beyond what any natural temperament on the part of the enslaved could ever warrant, as slavery reduces slaves to property to be used as mere means.

The appalling passages quoted above raise important philosophical questions about the relationship between Kant’s core moral theory and his assumption of the natural inferiority of non-whites. Remember that Kant’s 1785 essay on race was published in the same year as the *Groundwork for the Metaphysics of Morals*, and that his 1788 reply to Forster was published less than two months after the *Critique of Practical Reason*. One important question, then, is whether Kant’s racial hierarchy and the practical consequences he draws from it blatantly contradict the principles of morality as formulated in these books, or whether Kant in fact did not attribute moral status to non-whites at all. In other words, the question is whether his views are best described as consistent inequalities or inconsistent universalism.

Elsewhere I have argued at greater length for the latter interpretation; in my view, Kant’s pronouncements on the races, especially his condoning slavery, contradict his own core moral theory.²⁸ It is clear that he regards all races as human, as this is given with the very definition of a human race. Moreover, as quoted above, Kant writes that properties that belong to the

species itself in its essence are common to all human beings, and he states explicitly that this applies to the various races (BBM 8:99). Reason is one such essential property, so members of all human races are rational beings. It is also clear that Kant regards all humans as “ends in themselves” by virtue of their status as rational beings: “Now I say, a human being, and in general every rational being, exists as an end in itself and not merely as a means to be arbitrarily used by this or that will” (G 4:428). Taken together, these passages block the interpretation that Kant holds a consistent form of inequality according to which non-whites have a sub-human status. Given that he attributes membership in the moral realm of ends to all humans, in their capacity as rational beings, it is inconsistent for him to also condone the slavery of non-whites, because slavery constitutes the use of a human being as a mere means.^{[29](#)}

Until the early 1790s, Kant endorses the view that there are deep divisions within humankind, divisions that underwrite a racial hierarchy compatible with European dominance and the slavery of non-Europeans. Kant’s moral cosmopolitanism is profoundly inconsistent with his defense of a white supremacist racial hierarchy. But it would take several more years before Kant improved his position.^{[30](#)}

5 FORSTER’S REACTION TO KANT’S REPLY AND HIS DEFENSE OF CULTURAL DIVERSITY

When Forster read Kant’s 1788 reply to his piece, he felt he had got his fingers burned. He was embarrassed for the opinions of the intellectual elite reading the *Berlinische Monatsschrift*, now that the famous Kant had criticized him so publicly and so vehemently. Nonetheless, Forster stood his ground. After he had read Kant’s article, he wrote a letter to Friedrich Heinrich Jacobi in which he complained that Kant was behaving like a “hounded hedgehog” who defended himself with impenetrable, technical jargon: Kant, “with his artificial language, has rolled himself up into the most invincible, prickly form of the hounded hedgehog, [so] that one could think that he is not approachable at all.” (Letter to Jacobi of November 19, 1788, 15:208).

Forster’s complaint is understandable. He must have disliked the fact that Kant had barely addressed his criticisms at all, and that he had reaffirmed

his thesis of a racial hierarchy. It is easy to see, therefore, how Forster could remain convinced that Kant was wrong. Kant did not address Forster's empirical objections, he misrepresented Forster's position on the issue of polygenicism,³¹ and he reiterated his comprehensive teleological model with its radical distinction between organic and inorganic nature, a distinction which Forster found unconvincing.

Furthermore, Forster must have been frustrated by the recurrence of racial stereotypes in Kant's reply. Forster knew that Kant was aware of his own famous descriptions of peoples elsewhere in the world, and yet Kant chose to believe another author's false assertions regarding the capacities (or lack thereof) of non-Europeans.

In the years following his exchange with Kant, Forster became more active in the fight against racism. In the texts from this period, he repeatedly insists that all humans have human rights in virtue of their rationality, not in virtue of a putatively shared ancestry (i.e., racial affiliation). In a section on Native Americans, he writes that all humans are rational beings and entitled to human rights by virtue of this distinction, "and not because of some family tree that cannot be proved" (SNA 5:569). This assumption of a shared human nature forms the basis for his belief in fundamental human equality:

Reason, feeling, and imagination, united in the most beautiful dance, are the Graces of life ... Oh, how has anybody dared to accuse nature of denying this beautiful harmony of predispositions³² to nine-tenths of our brothers! For the point of unification of all nations lies in the core of their essence ... (LaB 7:55)

No matter how different other cultures may seem to us, Forster maintains, we can recognize these common predispositions in all humans. This holds equally for peoples from cultures preoccupied with survival under inhospitable natural conditions, and for those who are lucky enough to have opportunities for cultural refinement. All humans, including Eskimos and Laplanders – regarded by many Western European authors at the time as being very low on the ladder of the racial hierarchy – have these basic human predispositions. Forster writes:

The same fundamental predispositions, however different their relative intension and their extensive richness may be, are expressed in the individuality of Homer and Pindar, Ossian and the Skalds, Moses and David, Saadi and Kalidasa, Shakespeare and Goethe. (LaB 7:56)

Forster explains cultural diversity in terms of the different circumstances under which peoples live (LaB 7:48). He mentions the influence of climate and natural surroundings (LaB 7:45), as well as socio-economic factors and historical circumstances such as the benefit that some cultures have of learning from the achievements of others.

Forster agrees with Herder that cultural diversity³³ is something to be cherished for its own sake. Any attempt at artificially making cultures more similar to one another will lead to “destruction of all individuality,” to “mediocrity and emptiness” (LaB 7:51). Forster describes diversity in aesthetic terms: as a beautiful bouquet of different flowers, and as a harp with strings of different lengths on which many more harmonies can be played than if the strings were all of equal length (LaB 7:52, 56). Yet whereas Herder is disinclined, for fear of reducing diversity, to encourage any attempts at cultures mutually influencing each other, Forster strongly praises the benefits of intercultural learning and exchange and denies that this would lead to homogeneity. Because differences in natural and historical circumstances will always result in cultural differences, no amount of interaction will cause homogeneity. Thus Europe may spread its knowledge to the rest of the world, but one need not fear that this will make all world citizens similar to Europeans (LaB 7:69–70).³⁴ In Forster’s view, Europeans can learn much from other cultures, and they in turn can disseminate their knowledge to other peoples, giving rise to a process of mutual enrichment.

Forster himself worked very hard to make his German readers familiar with non-European cultures. The most famous example is his edition and translation (on the basis of an existing English translation) of the play, by the Indian author Kalidasa, *The Recognition of Shakuntala*. Forster saw this work as exhibiting a high aesthetic sensibility that Europeans should learn from. Indeed, the work found an enthusiastic response and expanded the literary horizons of the time. Schiller published the first excerpts from the *Shakuntala* translation in his *Thalia* (1790), Goethe wrote a poem about

it,³⁵ Herder an essay, and it prompted the Schlegel brothers to study India in more depth. Here they all found “world literature,” literature on a par with Western European literature, yet inspiringly different. Forster states, in his 1791 introduction to the entire translation, that

What is interesting about such a work is not at all whether it has five or seven acts, but that the most tender feelings of which the human heart is capable can express themselves equally well at the Ganges and with dark brown humans, as at the Rhine, the Tiber, or the Ilissus with us whites. (VS 7:287)

Following his debate with Kant, Forster published more and more texts written specifically to combat racial prejudice and slavery. He wrote a furious letter to Christian Gottlob Heyne, the editor of the influential journal *Göttingische Anzeigen von gelehrten Sachen* (and Forster’s father-in-law), after Heyne had allowed a racist piece by Christoph Meiners (1747–1810), a well-known philosophy professor in Göttingen, to appear in his journal (September 7, 1789, 15:335). Heyne made amends by sending Forster a review copy of a book on a related subject, telling him to write a review quickly so he could beat Meiners to it (September 26, 1789).³⁶ Within days, Forster sent him the review, in which he highlighted the horrors of the slave trade (15:345).

A year later Forster reviewed a series of texts by Meiners (January 1791, 11:236–52), making scathing criticisms of Meiners’ categories of “half-humans” (*Halbmenschen*) and “in-between-beings” (*Mittelwesen*), which Meiners used for all humans who were not so-called “Caucasians.” In his reviews, Forster repeatedly points out that the current hegemony of Europe in the world does not prove the innate perfection of Europeans, that Meiners’ use of empirical evidence betrayed a double standard, and that Europeans had benefited greatly from the achievements from Asians and Africans that had been transmitted to Greece (11:241).

In addition to the polemics against Meiners, Forster reviewed a great number of other books that allowed him to sharply criticize the slave trade, defend the French abolitionist *amis des noirs*, advocate the emancipation of slaves, report on the achievements and successes of freed blacks in New York and Philadelphia (“and still the prejudice of the whites against the blacks cannot be overcome” 11:322), and proffer practical proposals to

address the economic impact of the loss of slave labor that would result from abolition.³⁷

In his final years, Forster became more active in practical politics. He supported the French occupation and “republicanization” of Mainz (in October of 1792). He was one of the leaders and spokesmen of the Mainz republic and served as president of the local Jacobin club. In March of 1793, he went to the National Convention in Paris, to argue in favor of the incorporation of the French-occupied Rhineland into France. While he was there, however, the French were driven out of Mainz, so that Forster had to stay in Paris, because he now counted as a traitor in Mainz. He retained an unwavering admiration for the ideals of the revolution, although in light of the intensifying terror and chaos in Paris he became more pessimistic about the chances of realizing them in the near future. While still in Paris, he fell ill and died in 1794.

6 KANT’S SECOND THOUGHTS ON RACE

Kant seems to have held onto his hierarchical account of the races for several more years after his exchange with Forster. In the Dohna-Wundlacken Lectures on Anthropology (1791–92) we still find the familiar account of racial hierarchy.³⁸ In the Lectures on Physical Geography Dohna (1792), Kant once again endorses Hume’s claim that blacks are naturally inferior.³⁹ By the middle of the 1790s, however, he has radically changed his mind on the subject of race. He starts to criticize slavery, the slave trade, and colonialism, explicitly attributing full juridical status to non-whites under the new category of “cosmopolitan right,” changing his description of the characteristics of the races, and regarding continued global migration and trade as part of the plan of nature.

In *Toward Perpetual Peace* (1795) and the *Metaphysics of Morals* (1797), Kant clearly departs from his earlier position in a number of ways. First of all, he becomes more egalitarian with regard to race (though this does not imply that Kant became more egalitarian in all respects, for his views on women, for example, did not undergo a similar development). His concept of cosmopolitan right, as introduced in *Toward Perpetual Peace*, explicitly prohibits the colonial conquest of foreign lands:

If one compares with this [viz., the idea of cosmopolitan right] the *inhospitable* behavior of the civilized states in our part of the world, especially the commercial ones, the injustice that the latter show when *visiting* foreign lands and peoples (which to them is one and the same as *conquering* those lands and peoples) takes on terrifying proportions. America, the negro countries, the Spice Islands, the Cape, etc., were at the time of their discovery lands that they regarded as belonging to no one, for the native inhabitants counted as nothing to them. (ZeF 8:358)

Any European settlement requires contractual agreement with the existing population, Kant writes, unless the settlement takes place so far from other people that there is no encroachment on anyone's use of land. In the section on cosmopolitan right in the *Metaphysics of Morals*, Kant specifically stipulates that such a contract should not take advantage of the ignorance of the inhabitants with regard to the terms of the contract (MdS 6:353), a stipulation that presupposes a concern not found in the 1780s texts.

The very fact that Kant regards Native Americans, Africans, and Asians as capable of signing contracts, and as persons whose interests and claims present a normative constraint on the behavior of European powers, indicates a shift in perspective. After all, as long as Kant regarded slavery as appropriate for Native Americans and Africans, and so long as he believed that Europe would probably legislate for other continents, he did not consider their consent to be important at all. Moreover, Kant now also defends hunting and pastoral peoples against encroachments by Europeans (MdS 6:266), instead of highlighting their failure to develop agriculture, as he did previously (TPP 8:176). In the *Metaphysics of Morals*, Kant rejects consequentialist justifications for colonialism (the alleged "civilizing" effects on the "savages") (MdS 6:353). He also rejects the argument that European colonists are justified in claiming ownership over foreign lands and their inhabitants by the fact that they "establish a new civil union with them and bring these human beings (savages) into a rightful condition." Instead, Kant maintains that the latter have the right of first possession and that this right is violated by European ownership claims (MdS 6:266).

Importantly, Kant is now unambiguously opposed to chattel slavery, and not just in the case of whites. In his notes for *Toward Perpetual Peace* (1794–95), Kant repeatedly and explicitly criticizes slavery of non-Europeans in the strongest terms, as a grave violation of cosmopolitan right

(R 23:173–74). He sharply condemns the behavior of “the civilized countries bordering the seas.” He accuses them of recognizing no normative constraints in their behavior toward people on other continents and of regarding the “possessions and even the person of the stranger as a loot given to them by nature.” Kant censures the slave trade (“trade in Negroes”), not as an excessive form of an otherwise acceptable institution, but as a clear violation of the cosmopolitan right of blacks (R 23:174). Similarly, he criticizes the fact that the inhabitants of America were treated as objects belonging to no one and “were displaced or enslaved” soon after Europeans reached the continent (R 23:173–74). Having discussed European behavior in Africa, America, and Asia, he concludes:

The principles underlying the supposed lawfulness of appropriating newly discovered and purportedly barbaric or irreligious lands, as goods belonging to no one, without the consent of the inhabitants and even subjugating them as well, are absolutely contrary to cosmopolitan right. (R 23:174)

In the published version of *Toward Perpetual Peace*, Kant repeats this judgment. He criticizes the “very most gruesome and calculated slavery” on the Sugar Islands (ZeF 8:359). In the *Metaphysics of Morals*, too, he categorically and repeatedly condemns chattel slavery (MdS 6:283, 241, 270).⁴⁰

Kant also changed his views on the mental characteristics of the inhabitants of different continents. For example, he ascribes the ideal of military courage equally to Native Americans and medieval European knights (ZeF 8:365), in marked contrast to his earlier insistence on the weakness and inertia of Native Americans. Whereas in “On the Use of Teleological Principles in Philosophy,” he highlights the alleged lack of the capability for agriculture on the part of Native Americans (TPP 8:176), in the *Metaphysics of Morals*, Kant accepts the ways of life of hunting and pastoral societies as being no lower than those of agricultural societies (MdS 6:266).⁴¹

In sum, Kant changed his earlier views on the status and characteristics of non-whites; the common assumption that his position remained stable throughout the Critical period is mistaken.

Kant not only became more egalitarian with regard to race, he also revised his view of the role of race in connection with intercontinental

migration. In his earlier writings he called racial differentiation “necessary” for the preservation of the species during its initial dispersal across the globe (BBM 8:98) and claimed that nature purposively discouraged subsequent migrations by making it impossible to adapt to later environments. In his writings of the second half of the 1790s, by contrast, Kant no longer attributes any special role to racial differentiation (let alone to different levels of capacities) for the purpose of global migration.

Strikingly, in his 1795 description of what nature has done to enable humans to live everywhere on earth, Kant omits any mention of predispositions for different races (ZeF 8:360–65). Kant now simply claims that nature has organized the earth in such a way that humans can and will live everywhere, and that they will eventually use the surface of the earth for interacting peacefully (ZeF 8:358). The new category of cosmopolitan right, first introduced in *Toward Perpetual Peace*, is premised on increasing and continuing movement and interaction across borders (see [Chapter 3](#)). There is no indication that migration is easier in some directions than in others. Kant concludes his exposition of cosmopolitan right (which includes his critique of colonialism and slavery) by expressing the hope that

In this way, remote parts of the world can establish relations peacefully with one another, relations which ultimately become regulated by public laws and can thus finally bring the human species ever closer to a cosmopolitan constitution. (ZeF 8:358)

Instead of his earlier claim that Africans and Native Americans cannot govern themselves (R 15:878) and that Europe will probably do that for them (IaG 8:29), Kant now envisions a world in which people of different colors and on different continents establish peaceful relations with each other that honor the normative principles laid down in his theory of right.

Having given up his hierarchical view of the different races, Kant makes the concept of race itself less prominent. In fact, the topic of race disappears almost entirely from Kant’s published writings. Particularly striking is the role of race in the published version of his anthropology lectures, because it is radically different from that in his earlier lectures on the subject. Whereas under the heading “The Character of Race” Kant had previously expounded his account of race and racial hierarchy, in the published version of the *Anthropology* (1798) there is no discussion of the purportedly different “characters” of the races at all. The section on race now refers the reader to

a book by Christoph Girtanner. Girtanner offers an extensive discussion of race on the basis of Kant's treatment of it, focusing strictly on race as a physiological concept and omitting any "moral characterization."⁴²

As Robert Loudon has rightly remarked, it is strange that the section on race appears in the *Anthropology* at all, because its contents have no bearing on the work's stated aim.⁴³ In fact, in the preface to the work, Kant even explains that race does not belong in the *Anthropology*, because it is merely a matter of physiology without "pragmatic" relevance, that is, it has no direct bearing on the use of one's freedom as a human agent.⁴⁴ This statement provides further support for the thesis that Kant had given up his description of the different races as having very different "characters" and moral standing. Kant did not renounce the concept of race as such but restricted it to physiology, while dropping the racial hierarchy that he had previously associated with it.

Moreover, in the race section in the *Anthropology*, Kant merely comments on *varieties* within races, not on race itself. Interestingly enough, however, Kant introduces the topic of "variety" here by speaking of "nature's aim" in the "fusion of different races," namely, "assimilation":

Instead of *assimilation*, which nature aimed at in the fusion of different races, here [viz., in producing varieties] nature has made exactly the opposite into a law for itself: namely, in a people of one race (e.g., the white race), instead of letting the characteristics, in their formation, constantly and progressively approach one another ... [this law involves] multiplying endlessly the bodily and mental characteristics in the same tribe and even in the same family. (ApH 7:320)

What is new here is that "*fusion*" of races is called an "aim of nature." This is very distant from Kant's earlier comment in his 1792 Dohna Lectures on Physical Geography that "the end of nature would be lost if half-breeds became common" (DpG, 108). Also new is the claim that racial assimilation does not lead to universal uniformity because it goes hand in hand with the emergence of an infinite number of *varieties*. Kant does not take the additional step of claiming that nature aims at *overcoming race* in this way. Still, the only possible conclusion is that he had radically recast and reduced the role of race within his teleological account of nature.

Kant gave up the hierarchical view of the races during the time when he was elaborating his political theory and theory of right.⁴⁵ When writing *Toward Perpetual Peace*, his views of race were still developing. In the preparatory notes he listed racial difference as one of the forces that keep humans apart (in addition to differences in religions and languages), but in the final manuscript he left this out (cf. ZeF 8:367 and R 23:170).⁴⁶ In the final version of the text, race entirely loses its role in the grand scheme of nature. Nature promotes the spread of humans across the earth in other ways, opening up the possibility of continuing migration and interaction without any of the alleged “natural” race-related impediments that he mentioned earlier.

Kant changed his views on race during the same period that his political theory and philosophy of right underwent significant transformations. Examples of other important developments in Kant’s political theory around this time are his notion of citizenship, his republicanism, and the concept of cosmopolitan right. Kant was never generous in explaining the genesis or transformation of his views, and we may never know the precise circumstances of his change of mind. Yet it is likely that he started to reconsider his earlier acquiescence in the European practices of colonialism and slavery while he was developing new philosophical commitments in his legal and political theory. This work took place while important political changes occurred in France, and perhaps these events and the intellectual debates surrounding them, including the 1794 French abolition of slavery in the wake of the revolt on Saint-Domingue, prompted him to rethink his earlier conception of the characteristics of the races.⁴⁷ Perhaps, too, there was a delayed effect of the criticisms voiced by Herder, Metzger, Forster, and others.

However this may be, I hope to have shown that during the 1780s, as he wrote the *Groundwork* and the *Critique of Practical Reason*, and until at least 1792 (the Dohna Lectures on Physical Geography), Kant endorsed a racial hierarchy which contradicted his own moral cosmopolitanism, but also that his texts from the mid 1790s show that he radically changed his view. This finds expression not only in his re-evaluation of the moral and legal status of non-Europeans, but also in his description of the mental properties that he attributes to non-whites; and in the harsh criticism of the injustice perpetrated by the European colonial powers. In short, his views became more consistent and more genuinely cosmopolitan.⁴⁸

7 KANT ON JUDAISM AND NATIONAL CHARACTER

This conclusion may rightly give rise to the question, in some readers, of whether this description of Kant's position is compatible with his discussions of Judaism and of national characters. Kant may well have dropped his hierarchical account of race and his opposition to race mixing. Nonetheless, even in his late texts he still defended some rather disturbing stereotypes of other peoples and claimed that the mixing of nations was probably not beneficial to humankind. So it is a fair question how Kant's cosmopolitanism relates to his essentialist-sounding descriptions of the good and bad qualities of different peoples or "nations." (This latter term seems appropriate, because here the people is regarded not as a political community but as a community by birth (cf. MdS 6:343), and it is also the term used by Hume in the essay "Of National Characters," to which Kant repeatedly refers.)

Furthermore, Kant is sometimes accused of anti-Semitism for comments such as his claim that Judaism is "actually no religion at all" (Rel 6:125) and that Jews are prone to deception (ApH 7:205–206 n.). Accusations of anti-Semitism seem to be found on the Internet more than in the academic literature, but then, much of the Kant literature does not touch this issue at all.

As far as the discussion of "national character" is concerned, Kant describes Italians as deceivers, modern Greeks as fickle and groveling, Germans as obsessed with social rank, and the Spanish as lazy, to mention just a few examples from a long list. The ancient Britons, having mixed with other peoples, have lost their original characteristics; now that each individual adopts his own character, the people as a whole is characteristically artificial and affected (ApH 7:311–20). Moreover, Kant calls national characteristics (or the lack thereof) "innate" on the basis of the rather flimsy argument that they are not the result of climate or government (ApH 7:313). At other times, Kant suggests that the traits in question result at least in part from social circumstances, explaining the purported characteristics of Jews, for example, from the fact that Jerusalem lies on an important trading route (ApH 7:205–206 n.). But he does not raise the question of how – in terms of his own theory of heritability – traits that are the result of social factors can become heritable (cf. ApH 7:312).

Finally, even though he elsewhere admits that if a trait is a national characteristic this does not mean that all members of a people have it in equal measure,⁴⁹ Kant fails to problematize the very idea of a nation as having an identifiable set of shared characteristics in the first place.

In other words, it seems that we are here dealing with objectionable stereotypes and unwarranted generalizations that are projected unquestioningly onto purportedly innate essences of hypostasized peoples. I shall not attempt to mitigate this assessment. But in order to answer the question at issue in this section, I would like to examine whether Kant's theory of national characteristics stands in tension with his cosmopolitanism in the same way as his early characterizations of the races do.

First of all, I would like to point out that Kant's characterizations of peoples do not have the same implications for their moral status. National characteristics, on his view, are psychological tendencies with which the members of a people have to contend in their efforts at acting morally. They are pre-moral inclinations (cf. what Kant says about the melancholic's disinclination to make promises, ApH 7:288). They do not impede moral personhood. Rather, they mark the specific difficulties that specific groups of people have to combat on their way to virtue. Accordingly, Kant introduces his sections on national characteristics by saying that he has intentionally made them mostly unflattering, because "flattery *corrupts*, criticism on the other hand *improves*" (ApH 7:313). This not only explains why most of the characterizations are negative; it also implies that he deems improvement both possible and required.

The problem with his earlier characteristics of most races, by contrast, was that they were not consistent with moral agency or even self-improvement, and that Kant drew conclusions from these characteristics that were indeed inconsistent with full moral status. Saying that certain peoples are prone to deception, for example, is quite different from saying, as he did in the 1780s, that Native Americans are incapable of any culture or that blacks can be trained but not educated. Rather than calling for improvement, such statements rule it out. This problem does not exist in the case of Kant's descriptions of national character.

Finally, there is the question of what to make of Kant's claim that "in all probability" the "mixing of tribes" which erases characteristics is "not salutary" (*nicht zuträglich*) for the human species (ApH 7:320). Whereas Herder opposed the mixing of peoples on the grounds that this would

reduce cultural diversity and lead to monstrosities,⁵⁰ Kant's claim is phrased in terms of a probable ill effect of a different nature. He derives this claim from the alleged negative effects of the mixings he described (as with the Britons), although the precise nature of the alleged effects is never made clear, let alone demonstrated or explained in terms of biological mechanisms.⁵¹ Certainly, Kant's discussion of national character could hardly be further removed from present-day celebrations of a cosmopolitan identity as a matter of mixing and matching cultural elements from very different provenance.⁵²

However many empirical and conceptual problems and unclarities there are with Kant's claim regarding the effects of national mixing, one should note that the claim does not betray xenophobia. Indeed, one of Kant's main standards in assessing the different characters of peoples is whether their attitude toward foreigners is sufficiently positive. He praises the French for being courteous toward foreign visitors, but condemns the English for failing to offer assistance to refugees in dire need; he criticizes the Spanish for not learning from foreigners and for not traveling to get to know other peoples. And, as I noted in the introduction to this book, he praises the Germans for being cosmopolitan "[men] of all countries and climates" (ApH 7:313–20).

Turning now to Kant's description of Jews and Judaism, I believe that we should regard his characterization of Jews as being prone to deception similarly – that is, as one item on the long list of negative characteristics that he attributes to different peoples. That does not make the stereotype any less offensive, of course, but it puts it in the company of similarly objectionable stereotypes of others.

Second, as for Kant's claim that Judaism is "properly speaking not a religion at all" (Rel 6:125), a closer look reveals that the meaning of that statement is not derogatory. Quite the opposite: in this passage, Kant in fact endorses an analysis by Moses Mendelssohn, one of the aims of which had been to increase tolerance and to improve the civil status of Jews. In his 1783 book, *Jerusalem, or on Religious Power and Judaism*, Mendelssohn had argued that the religious truths that matter are available to reason without revelation. Revelation does contain very important instruction, but this pertains to the conduct of life that is distinctive for Judaism, not to any divine truths. Kant enthusiastically expressed his admiration for Mendelssohn and his *Jerusalem* (letter to Mendelssohn, August 16, 1783,

10:347).⁵³ When he claims that Judaism is “properly speaking not a religion at all,” he implicitly endorses Mendelssohn’s analysis, restricting the use of the term “religion” to the pure rational faith which, on Kant’s analysis, Judaism has in common with Christianity and Islam. He adds that it is beyond doubt that Jews have their own religion individually (Rel 6:126). So his general point seems to be that Judaism is fully compatible with the inner rational faith which Kant regards as essential, that Jews individually have religious faith of that kind, and that what is specific to Judaism concerns a distinctive way of life.

It is perhaps also worth noting that Kant fiercely defended Mendelssohn in debates with others and publicly condemned efforts to bring him to convert to Christianity.⁵⁴ In short, whether one agrees with Mendelssohn’s analysis or not, there is no reason to regard Kant’s comment as evidence of anti-Jewish sentiment.

8 KANT ON THE VALUE OF CULTURAL DIVERSITY

As I argued above, Forster combined moral egalitarianism with an explicit embrace of cultural pluralism. He followed Herder in regarding cultural pluralism as valuable as such, and in regarding different cultures as not “better” or “worse” by some external measure, but as together forming a whole that is all the more beautiful because of its internal differentiation. As mentioned, Herder was opposed to mixing peoples, fearing that this would make cultures more similar; Forster disagreed, claiming that the mutual influence of cultures would produce infinite amounts of valuable new cultural variations instead.

The final question I would like to address in this chapter is what Kant’s position on cultural pluralism was after he gave up his belief in racial hierarchy. He does not address the question in these terms. There are a number of relevant texts, however, that give us an indication of his position.

It is clear that Kant does not value diversity in the manner of Forster and Herder, that is, as intrinsically valuable for aesthetic reasons. On Kant’s view, the principles of morality and right set very strict limits on legitimate cultural variation. Nevertheless, there is considerable room, within his cosmopolitanism, for attributing genuine importance to cultural pluralism.⁵⁵

Kant mentions diversity of languages and religions as factors that promote the development of the human capacity to use reason. On this basis, some interpreters have claimed that pluralism for Kant has a merely instrumental value, but no intrinsic value.⁵⁶ Further support for such a reading could perhaps be found in cases in which Kant defends the protection of cultural minorities. Kant cites the value of the specific minorities in terms of their particular characteristics, not in terms of the value of pluralism per se. For example, he defends the protection of a minority language in Prussia (Lithuanian) on the grounds of the value (Wert, LD 8:445) of the Lithuanians for the state, given their national characteristics, and not on the grounds that linguistic or cultural pluralism within the state is itself important. As he puts it in the first sentence of his postscript to a German–Lithuanian dictionary, what is characteristic of the Prussian Lithuanians deserves to be preserved, and because the preservation of their language is an important means for doing so, the language deserves to be preserved (LD 8:445).⁵⁷ Moreover, preserving this particular language has scientific and scholarly value, especially for “the ancient history of the migration of peoples” (LD 8:445) – not by virtue of its contributing to cultural diversity as such.

Against this interpretation, I would like to point out that the fact that Kant sometimes discusses the value of cultural diversity in instrumental terms does not mean that he regards this as its only value. There is a distinctively Kantian way of defending pluralism that neither reduces its value to a merely instrumental one, nor elevates pluralism itself to an intrinsic value, and it seems that Kant subscribed to this third view. This is the view that the only thing that is intrinsically important is freedom; that freedom includes the freedom to pursue one’s projects and to pursue one’s projects in different ways, depending on one’s own choice, as long as these choices are compatible with the principles of morality and right; that, given the empirical fact of anthropological diversity, people make different choices; and therefore, that the freedom to choose differently (again, within the parameters of morality and right) is valuable in itself, as a instantiation of (intrinsically valuable) freedom. On this construal, cultural pluralism is what freedom demands given that humans differ in their legitimate preferences.

This kind of defense of diversity is implicit when Kant allows for a diversity of ways of life (hunting, pastoral, agricultural), calling it a matter

at the discretion of those involved to choose the way they want to live (MdS 6:266). Here the defense of cultural diversity is not in terms of its instrumental aspects but in terms of the value, for the people involved, of being able to choose how to live. People make different choices depending on their preferences and the circumstances in which they find themselves. There are many different terms of cooperation on which people may jointly decide, and there are many different conceptions of happiness which people may seek to pursue, individually or collectively; hence their freedom requires the freedom to live their lives in different ways.

Of course, since it is defended in terms of (Kantian) freedom, any cultural pluralism must remain within the limits indicated by the principles of morality and right, principles which both uphold and circumscribe freedom. In other words, cosmopolitan egalitarianism trumps cultural pluralism if the two come into conflict. This is clear from Kant's unequivocal condemnations of immoral cultural practices (e.g., Rel 6:33), and from the fact that his political theory designates the republic as the one and only form of political organization that fully accords with right. Within the bounds of morality and right, however, there is room for pluralism and for valuing this diversity as something very important. In fact, it is as important as freedom itself.

In this chapter, I have argued that Kant's views on race underwent an important change during the middle of the 1790s. Kant's later view enables him to combine cosmopolitanism with the attribution of genuine value to cultural diversity, albeit in a different way than Forster did. The changes in Kant's views on race are reflected in his account of cosmopolitan right, as we saw in [Chapter 3](#). Kant condemns slavery and colonialism and sketches an ideal future in which people on all continents engage in interaction with each other within a legal-political framework. More specific questions need to be addressed, however, with regard to this interaction, especially concerning trade and global justice. Trade was one of the types of interaction covered under cosmopolitan right, but insofar as trade was discussed, this concerned its juridical preconditions, not the nature of international trade as such. In the next chapter, I discuss Kant's views on trade in more detail, in order to establish to what extent he advocated international free trade and how he saw the role of states in a global market. I do so by comparing his views with those of Dietrich Hermann Hegewisch, who defended a radical form of free-trade cosmopolitanism.

- 1 As Robert Bernasconi has pointed out, this “knowledgeable man” was James Tobin, who had written *Cursory Remarks Upon the Reverend Mr Ramsay’s Essay on the Treatment and Conversion of African Slaves in the Sugar Colonies* (London: Wilkie, [1785](#)). Robert Bernasconi, “Kant as an Unfamiliar Source of Racism,” in *Philosophers on Race*, ed. Tommy Lott and Julie Ward (Oxford University Press, [2002](#)), 145–66, here 148. Tobin’s article had been shortened and loosely translated in the volume edited by Matthias Christian Sprengel, *Beiträge zur Völker- und Länderkunde*, vol. v (Leipzig: Weygand, 1786), “Anmerkungen über Ramsays Schrift von der Behandlung der Negersklaven in den Westindischen Zuckerinseln,” 267–92. Tobin indeed writes that Ramsay’s proposals are “unfeasible” because free blacks do not take up proper occupations. Instead, he writes, they become fishermen or hawkers, or they start drinking or gambling, or they provide for their livelihood by stealing and cheating. Therefore, slavery is appropriate in their case (287–92).
- 2 The term “culture” (*Cultur*) here could refer to agriculture or to development generally.
- 3 Lectures on Anthropology (1781–82), 25.2: 1187. Cf. also “Humanity is at its greatest perfection in the race of the whites,” Lectures on Physical Geography, 9:316. It should be noted that although the Lectures on Physical Geography were published in 1802, the book cannot be regarded as reflecting the views Kant held at that late date. There are well-known problems with the edition that make it difficult to date specific passages; moreover, many parts of the text even go back to the pre-Critical period.
- 4 Emmanuel Chukwudi Eze, *Achieving Our Humanity: The Idea of the Postracial Future* (New York: Routledge, [2001](#)), “The Color of Reason: The Idea of “Race” in Kant’s Anthropology,” in *Anthropology and the German Enlightenment*, ed. Katherine M. Faull (Lewisburg, PA: Bucknell University Press, [1994](#)), 200–41; Robert Bernasconi, “Who Invented the Concept of Race? Kant’s Role in the Enlightenment Construction of Race,” in *Race* (Oxford: Blackwell, [2001](#)), 11–36, Bernasconi, “Kant as an Unfamiliar Source”; Charles Mills, “Kant’s *Untermenschen*,” in

Race and Racism in Modern Philosophy, ed. Andrew Valls (Ithaca, NY: Cornell University Press, [2005](#)), 169–93; Mark Larrimore, “Sublime Waste: Kant on the Destiny of the ‘Races’,” in *Civilization and Oppression*, ed. Catherine Wilson (University of Calgary Press, [1999](#)), 99–125. Cf. also Tsenay Serequeberhan, “Eurocentrism in Philosophy: The Case of Immanuel Kant,” *Philosophical Forum* 27 ([1996](#)): 333–56.

- [5](#) Thomas E. Hill, Jr. and Bernard Boxill, “Kant and Race,” in *Race and Racism*, ed. Bernard Boxill (Oxford University Press, [2001](#)), 448–71; Bernd Dörflinger, “Die Einheit der Menschheit als Tiergattung: Zum Rassebegriff in Kants physischer Anthropologie,” in *Kant und die Berliner Aufklärung. Akten des IX. Internationalen Kant-Kongresses, 2000*, ed. Volker Gerhardt, Rolf-Peter Horstmann, and Ralph Schumacher (Berlin: Walter de Gruyter, [2001](#)), vol. iv, 342–52; Robert B. Loudon, *Kant’s Impure Ethics: From Rational Beings to Human Beings* (Oxford University Press, [2000](#)); Thomas McCarthy, “On the Way to a World Republic? Kant on Race and Development,” in *Politik, Moral und Religion – Gegensätze und Ergänzungen: Festschrift zum 65. Geburtstag von Karl Graf Ballestrem*, ed. Lothar R. Waas (Berlin: Duncker und Humblot, [2004](#)), 223–43, and Thomas McCarthy, *Race, Empire, and the Idea of Human Development* (Cambridge University Press, [2009](#)).
- [6](#) Sankar Muthu, *Enlightenment Against Empire* (Princeton University Press, [2003](#)), 182–84.
- [7](#) Forster criticizes Herder for giving his imagination too large a role in what should be merely empirical descriptions (Letter to Jacobi, November 19, 1788, 15:209).
- [8](#) The Hume passage to which Kant refers is found in Hume’s “Of National Characters,” in *Political Essays*, ed. Knud Haakonssen (Cambridge University Press, [1994](#)), 86n. It includes Hume’s claim that blacks are probably “naturally inferior to the whites.” Kant ventures that they must, therefore, have an essential “flaw” in their main human traits (*einen wesentlichen Fehler in dem Hauptzug der Menschheit*), quoted from the Herder notes from Kant’s Physical Geography Lectures from the mid 1760s, in

Werner Stark, “Historisch-philologische Hinweise zur Frage nach einer möglichen Hierarchie menschlicher ‘Rassen,’ ‘Völkerschaften’ oder ‘Populationen’ bei Immanuel Kant,” unpublished ms.

- [9](#) “To mention just one example, in Surinam one uses red slaves (Americans) only for domestic work, because they are too weak for work in the field. For field work one needs Negroes” (VRM 2:438 n.). Surinam was a Dutch colony, and the term “one” (*man*) adopts the perspective of the slave owners. It is hard to avoid the impression here that Kant implicitly accepts slavery.
- [10](#) “*Abrichten*,” a term also used for the training of animals.
- [11](#) For a very helpful overview, see Stark, “Historisch-philologische Hinweise.”
- [12](#) This is also an argument against reading Kant as referring to something analogous to the current post-colonial condition, where ethnically white nations of the world dominate without formally ruling or occupying other parts of the world. This reading is suggested by Todd Hedrick, “Race, Difference, and Anthropology in Kant’s Cosmopolitanism,” *Journal of the History of Philosophy* 46 ([2008](#)): 245–68, here 262.
- [13](#) Béatrice Longuenesse has asked whether Kant’s claim should not rather be taken non-literally (Béatrice Longuenesse, “Kant’s Imperfect Cosmopolitanism,” in *The Cosmopolitan Idea*, ed. Hilary Ballon, [forthcoming](#)). I believe that this possibility cannot be ruled out, but that the burden of proof here is on those who defend a non-literal reading. There is, to my knowledge, no other text in Kant’s work in which “Gesetze geben” (or *gesetzgeben*, *Gesetzgebung*) means “spreading the model of legislation” (presumably by having the European model of legislation be adopted by peoples elsewhere in the world). In general, it simply means “giving laws.”
- [14](#) **Johann Gottfried Herder**, *Ideen zur Philosophie der Geschichte der Menschheit* [1784–91], in *Herders Sämmtliche Werke*, ed. Bernhard Suphan (Berlin: Weidmann, 1909), 13: 257–58.

- [15](#) *Ibid.*, 13:244–45. Herder’s opposition to Kant’s race theory should not let us forget that Herder was opposed to mixing “nations” or (curiously) “human species” (*Menschen-Gattungen*), *Ideen* 13:385. Herder was opposed to this not on the basis of a hierarchy among them, but on the assumption that they each have a different “character” that deserves to be preserved, and that mixing these inevitably produces monstrosities.
- [16](#) The disagreement with Herder was not the only occasion for Kant’s essay, though. In 1779, Kant mentioned that he had a text in preparation on the topic of race, in which he would respond to criticisms of his 1777 piece (Kant to Johann Jacob Engel, July 4, 1779, 10:256).
- [17](#) Georges-Louis Leclerc, Comte de Buffon, *Histoire Naturelle, générale et particulière*, 44 vols. (Paris: Imprimerie Royale, [1749](#)–1804).
- [18](#) Earlier, Kant hypothesized that the *Stammgattung* consisted of brunette whites (VRM 2:441). In 1785, however, he claims that it is impossible to guess the color and anatomy of the first humans, and that whites, too, have developed from the original stem species (BBM 8:106).
- [19](#) Letter to Johann Jacob Engel, July 4, 1779 (10:255–57, at 256). Kant states that he is too busy (with the work on the *Critique of Pure Reason*) to finish the essay right away, but that he will send it to Engel when it is done. Kant did not return to the topic directly after finishing the *Critique of Pure Reason*, however, and he ended up sending the essay to the *Berlinische Monatsschrift* (and without the “moral characterization”).
- [20](#) In “On the use of Teleological Principles in Philosophy,” Kant sometimes speaks of there being only four races (white, yellow, black, and red), and sometimes he additionally labels smaller groups as races, e.g., the Papuans, Haraforas, Eskimos, and Arabs, cf. TPP, 8:176–77.
- [21](#) Johann Daniel Metzger, “Ueber die sogenannten Menschenrassen” (On the So-Called Human Races), in *Medicinischer Briefwechsel von einer Gesellschaft Aertzte*, vol. II (Halle: J. J. Gebauer, [1786](#)),

41–47, here 46. Note, however, that Metzger’s rejection of the notion of race should not be misunderstood as evidence of an egalitarian disposition. In a 1788 essay on the same topic, he contrasts the two paradigmatic “varieties” of humans, viz., the “white human being,” with the “largest brain and the smallest nerves. The ideal of human beauty and perfection,” on the one hand, with the “black human being,” with “orangutan-like head, small brain, and large nerves.” Metzger, “Noch ein Wort über Menschenrassen” [“One More Word on Human Races”], in *Neues Magazin für Aerzte* 10 ([1788](#)): 508–12, here 511–12.

[22](#) Metzger, “Ueber die sogenannten Menschenrassen,” 45.

[23](#) Notes to *Cooks dritte Reise*, 5:314; cf. also *Cook der Entdecker*, 5:278 and MR 8:132. Forster quotes the passage from Kant, BBM 8:91.

[24](#) Forster does claim, without further explanation, that in the great chain of being blacks stand closer to the apes than whites, as far as their physiology and anatomy are concerned. But he hastens to add that blacks and whites belong to one and the same species *and share the same mental capacities*, and that blacks can and will become the equals of whites, whether whites want it or not (MR 8:155). The first comment may have to be understood in the context of his admiration for his close friend the well-known anatomist Soemmering, who had just argued this in a book dedicated to Forster: Samuel Thomas Soemmering, *Über die körperliche Verschiedenheit des Negers vom Europäer* (Frankfurt am Main: Warrentropp Sohn und Wenner, [1784](#)). Soemmering insisted that his judgment was meant purely anatomically, not morally or intellectually. He starts his preface with an attack on slavery and a critique of the prejudice of white superiority and black inferiority. For a critical discussion of Soemmering’s work, see the editor’s introduction to the republication of the second edition (1785) of Soemmering’s work: Samuel Thomas Soemmering, *Über die körperliche Verschiedenheit des Negers vom Europäer* (1785) ed. Sigrid Oehler-Klein (Stuttgart: Gustav Fischer Verlag, [1998](#)).

- [25](#) See Siegfried Scheibe in his introduction to the essay, *Georg Forsters Werke* 8:400.
- [26](#) Interbreeding does lead to change but not to a change *of a race*, on Kant's view, as it produces a third kind of entity, different from the original races, namely, the person of mixed race.
- [27](#) In the passages referred to above, TPP 8:174 n.; see also the other texts mentioned above, such as VRM, 2:438 n. and "Sketches for the Lectures on Anthropology," 15:878.
- [28](#) Kleingeld, "Kant's Second Thoughts on Race," *The Philosophical Quarterly* 57 ([2007](#)): 573–92.
- [29](#) If all races share the same essential predispositions, the question becomes how Kant might explain the innate deficiencies of the non-white races. It seems that he somehow assumes that there is an innate defect, an "essential flaw," as he put it earlier (see above, note 8). The notion of an innate defect makes no sense within Kant's understanding of natural teleology, however, as it would involve an intentionally designed flaw in the essential *Anlage* of a species.
- [30](#) For further discussion of the implications of Kant's racism (and sexism) for current interpretations of Kant, see [Chapter 7](#), section 3.
- [31](#) Kant describes him as defending polygenicism, but Forster was and remained non-committal on the issue. In later texts, Forster repeats that he does not take a stance on the issue of whether polygenicism or monogenicism is correct, insisting that the debate cannot be settled a priori and that the available empirical evidence is inconclusive (SNA, 5:569).
- [32](#) Forster's criticism of explanations of *race* in terms of predispositions (see above) does not mean that he rejects the notion of predispositions altogether.
- [33](#) This terminology may sound anachronistic but it is not. See Herder's use of the term "Diversität" in *Ideen*, 14:251.
- [34](#) In describing the contributions of people in different parts of the world, Forster himself resorts to a fair amount of stereotyping. He speaks of the rational Europeans, the sensual Asians, and so on.

See also Jörg Eisleben, “Indisch Lesen: Conceptions of Intercultural Communication in Georg Forster’s and Johann Gottfried Herder’s Reception of Kalidasa’s *Sakuntala*,” in *Monatshefte* 95 (2003): 217–29, here 223.

[35](#) The poem was published in the *Deutsche Monatsschrift* in 1791, now in Eduard von der Hellen (ed.), *Goethes Sämtliche Werke*, 40 vols. (Stuttgart and Berlin: J.G. Cotta’sche Buchhandlung Nachfolger, 1902–1912), 1:258. Cf. also Goethe’s aphorism on “Shakuntala” (*Goethes Sämtliche Werke* 38:285).

[36](#) “I prefer to pay the postage to avoid this Description de la Nigritie from falling in Mr. Meiners’ hands. But please, dear Forster, be so good as to send me the review soon” (11:541; both Heyne and Meiners lived in Göttingen). The book was Antoine Edme Pruneau de Pommegeorge, *Description de la Nigritie*, (Paris, 1789, German trans. Leipzig 1790). Forster’s review appeared in the *Göttingische Anzeigen von gelehrten Sachen* St. 174 (October 31, 1789, 1748–51), 11:196–98.

[37](#) Cf. Forster’s review of Dominique Harcourt Lamiral, *L’Afrique et le peuple africain* (1791), 11:336–41, a book which Heyne had also sent to Forster in order for it not to fall into Meiners’ hands (cf. 11:592, Meiners’ reply on 11:593–94). See also Forster’s review of Jacques Pierre Brissot’s *Nouveau Voyage dans les États-Unis* (1791), 11:213–336). Brissot was the founder of the abolitionist society of the *amis des noirs*.

[38](#) Arnold Kowalewski (ed.), *Die philosophischen Hauptvorlesungen Immanuel Kants. Nach den neu aufgefundenen Kollegheften des Grafen Heinrich zu Dohna-Wundlacken* (Munich: Rösl, 1924), 363–65.

[39](#) DpG 105. I would like to thank Werner Stark for providing me with the relevant passages of the Dohna MS as well as with several of Kant’s earlier lectures on the topic.

[40](#) Robert Bernasconi sees in the *Metaphysics of Morals* merely “the basis” for attacking chattel slavery but claims that Kant does not actually attack chattel slavery there or anywhere else (Bernasconi, “Kant as an Unfamiliar Source,” 151). In MdS 6:283, however,

Kant says the following: “All human beings are born free” (lines 30–31); “any slavery contract is self-contradictory and therefore null and void” (lines 16–20). Similarly, Kant denies that it is possible (in accordance with principles of right) for one human being to own another (MdS 6:270), and he states that there is no place in a theory of right for “beings who have merely duties and no rights (serfs, slaves)” (MdS 6:241). In light of this last passage, Bernasconi suggests (152) that Kant may have regarded his condemnation of chattel slavery as not applicable to non-white slaves because he did not regard them as fully human. This suggestion cannot be reconciled, however, with Kant’s explicit rejection of the enslavement of non-whites in the passages I have mentioned.

[41](#) See also Muthu, *Enlightenment Against Empire*, 187–88.

[42](#) Christoph Girtanner, *Das Kantische Prinzip für die Naturgeschichte: Ein Versuch, diese Wissenschaft philosophisch zu behandeln* (Göttingen: Vandenhoeck und Ruprecht, [1796](#)). Tellingly, Kant’s comment about nature hindering migration from warm to cold regions more than vice versa is changed, in Girtanner’s paraphrase of it, to an identical hindrance in both directions (156).

[43](#) Loudon, *Kant’s Impure Ethics*, 94.

[44](#) Kant states that “even knowledge of the human races as resulting from the play of nature does not yet count as pragmatic but merely as theoretical knowledge of the world” (ApH 7:120, lines 6–8). Mark Larrimore reads this as Kant’s “promise” to deliver a pragmatic anthropological account of race (“Race, Freedom and the Fall in Steffens and Kant”, in **Sara Eigen** and **Mark Larrimore** (eds), *The German Invention of Race* (Albany: SUNY Press, 2006), pp. 91–120). Kant seems to mean the opposite, however (see also his parallel usage of “not yet” in the previous sentence, ApH 7:120, line 2), which is consistent with the fact that he does not provide such an account in the pertinent section in the book. Cf. also ApH 7:299.

[45](#) For further discussion, also in relation to changes in Kant’s theory of biology, see my “Kant’s Second Thoughts on Race.”

- [46](#) I owe this reference to Susan Shell, “Kant’s Concept of a Human Race,” in *The German Invention of Race*, ed. Sara Eigen and Mark Larrimore (Albany: SUNY Press, [2006](#)), 55–72, here 72, n. 29.
- [47](#) Cf. Béatrice Longuenesse, “Kant’s Imperfect Cosmopolitanism.”
- [48](#) The qualifier “more” is to indicate that the inconsistencies in Kant’s account of the status of women do not disappear; but the differential status based on race does.
- [49](#) In the Kowalewski Dohna-Wundlacken anthropology lecture notes, 347.
- [50](#) See note 15 above.
- [51](#) Kant claims that these characteristics lie “in the blood,” but he does not mean this to indicate the underlying mechanism. He emphasizes that this is not a claim about the *cause* of the characteristics but a classificatory terminology (cf. A 7:287).
- [52](#) See Jeremy Waldron, “Minority Cultures and the Cosmopolitan Alternative,” *University of Michigan Journal of Law Reform* 25 ([1992](#)): 751–93.
- [53](#) Cf. also the moving description of Kant’s first encounter with Moses Mendelssohn, in Engelhard Weigl, *Schauplätze der Aufklärung* (Hamburg: Rowohlt, [1997](#)), 169, quoted from A. Lewald, *Ein Menschenleben*, vol. I (Leipzig, 1844), 99.
- [54](#) Manfred Kuehn, *Kant: A Biography* (Cambridge University Press, [2001](#)). 319, 333.
- [55](#) For a contemporary Kantian discussion of issues related to pluralism, see Thomas E. Hill, Jr., *Respect, Pluralism, and Justice: Kantian Perspectives* (Oxford University Press, [2000](#)), especially 11–32 (“Kantian Pluralism”) and 59–86 (“Basic Respect and Cultural Diversity”). For a discussion of cultural pluralism in relation to Kant, see Garrett Wallace Brown, *Grounding Cosmopolitanism: From Kant to the Idea of a Cosmopolitan Constitution* (Edinburgh University Press, [2009](#)), chapter 4.

- [56](#) Todd Hedrick argues that Kant assigns merely instrumental value to difference, in his article “Race, Difference, and Anthropology in Kant’s Cosmopolitanism.”
- [57](#) On this brief text of Kant’s, see Susan Shell, “Nachschrift eines Freundes: Kant on Language, Friendship, and the Concept of a People,” *Kantian Review* 15 ([2010](#)): 88–117.

Chapter 5 Kant and Hegewisch on the freedom of international trade

1 INTRODUCTION

In 1792, two centuries before “globalization” became a buzzword, Dietrich Hermann Hegewisch (1746–1812), a well-respected professor at the University of Kiel,¹ argued that the world-wide economic market should be turned into a sphere of free trade. This, he claimed, would raise everyone’s standard of living, enhance individual freedom and general happiness, reduce the role of individual states and their governments, and promote a world-wide peace by establishing lively commerce and brotherhood among all humans on earth. As a step on the path toward this larger goal, he argued, Europeans should introduce a common monetary standard.

Hegewisch is a forgotten figure with a surprisingly interesting version of free-market cosmopolitanism. He was one of the first German-language authors – perhaps even the very first – to engage productively with Adam Smith’s *Inquiry into the Nature and Causes of the Wealth of Nations*, several years before Smith is usually believed to have entered the German discussion. Criticizing Smith and going beyond him, he developed a distinctive form of free-market cosmopolitanism.

Hegewisch’s views also provide the perfect backdrop against which to clarify and discuss Kant’s position on international trade. Few commentators have looked closely at Kant’s views on trade, implicitly assuming that he had nothing substantial to say on the issue. The author of the most detailed discussion of the subject attributes to Kant the defense of a global free market as an intrinsic ethical ideal that trumps questions of distributive justice. I argue below that this is not correct. In order to clarify the very different position Kant actually defended, it helps to compare his views with those of Hegewisch, who did defend a straightforward form of free-market cosmopolitanism. By examining Hegewisch’s view and the problems it faces, and by comparing his account with Kant’s statements, I show that this is not a view which Kant defends. Kant’s commitment, in his

theory of right, to a republican notion of citizenship, combined with his theory of property and his views on taxation and poverty relief, entail that trade should first of all be *just*, and that it can be “*free*” only within the bounds of justice.

Despite its lack of prominence in Kant’s texts, this view of international trade plays an important role within his larger cosmopolitan theory of the mid 1790s. This is clear from his claim that international trade, rightly conceived, brings about the functional equivalent of a league of states and promotes the realization of cosmopolitan right, overcoming the injustice of colonialism and slavery.

2 THE CONTEXT OF HEGEWISCH’S DEFENSE OF FREE TRADE

In developing his free-market cosmopolitanism in the early 1790s, Hegewisch was well ahead of his time. This was an era in which the state aimed to control and steer economic activity through import restrictions and tariffs, regulations concerning mobility and one’s choice of occupations, and so on. The dominant economic theory and practice in the German-speaking territories at the end of the eighteenth century can be called mercantilist. “Mercantilism,” here, is a term of convenience to refer to a broad spectrum of related views, and it was already in use as such at the time. Hegewisch himself uses the term *Merkantilsystem* to describe the reigning economic system in Europe. The central tenet of mercantilism is that the government should strive to maximize national wealth and power, strengthening the country’s position vis-à-vis its neighbors. The interests of one state are conceived as opposed to the interests of other states. Mercantilist governments strive to make their country self-sufficient. They want to curtail imports, since they regard these as leading to a “loss of money” and thus as bad. To this end they pursue three primary economic strategies: first, they impose tariffs and restrictions, discouraging the import of finished products; second, they promote exports; and third, they actively support national industries. Furthermore, in order to increase the population of their territory they also develop active immigration policies and erect disincentives against emigration. Expansionist military activity was an

option for large political units such as Prussia, but it was not really on the cards for the mid-sized and smaller territories in eighteenth-century Germany, so these were mostly concerned with pursuing self-sufficiency, internal order, and domestic welfare.²

Criticism of the mercantilist view of economics had been voiced in France by the Physiocrats, who argued in favor of freer trade and the abolition of guilds, and who emphasized the importance of developing agriculture. Some of this discussion made its way to Germany. For Hegewisch, however, another line of critique was more important, namely Adam Smith's *Inquiry into the Nature and Causes of the Wealth of Nations*. Published in 1776, this book appeared in German translation in the same year, but discussion of Smith's views quickly waned. Fifteen years later, in 1791, a Basel publisher produced a new English edition for the German market³ and in 1792 an augmented edition of the German translation appeared. With that publication, the book gained a wide readership.⁴

Hegewisch mentions Smith repeatedly. He writes that he has much esteem for Smith and that he agrees with Smith on most issues (GH 515). When he mentions "several recent English authors" who discuss the origins of mercantilism he cites Smith as his only example (MS, 401n.). Smith was a great inspiration for Hegewisch – much more significant than other theorists, such as Hume, who had prefigured Smith in developing anti-mercantilist arguments.⁵ On the freedom of international trade, however, Hegewisch goes much further than Smith.

A text that may have inspired Hegewisch to develop a more radical view than Smith on free trade – although this is admittedly speculative – is a German translation of a defense of global free trade with a clearly cosmopolitan character by an author listed as L. d'Armand. The essay is entitled "Ideas about the Value and Possibility of Universal Free Trade, Addressed to the French National Assembly,"⁶ and the author is most likely Henri François Lucrétius d'Armand de Forest, Marquis de Blacons (1758–1805). He was a representative of the French nobility in the Estates General, and then in the National Assembly, who had allied himself with the Third Estate – and therefore dropped his noble title, as did Cloots.⁷ The essay appeared in the January 1791 issue of the *Deutsches Magazin*, a journal based in Copenhagen to which Hegewisch was a frequent contributor.

D'Armand mounts an enthusiastic defense of a global free market and claims that the "abolition of all restrictions on trade would also have the most happy consequences, insofar as *the individuals would constitute one state through their association*" (19, emphasis added). On his conception of a future world of free trade, *individuals* are the units of concern within a cosmopolitan world order. Under conditions of universal free trade, "the humans of all nations" are brought to realize "that they are all brothers" (19) and states will play a relatively unimportant role. In the global free market, there will be fewer wars, more honesty, lower prices, and a higher standard of living (12–21).

Hegewisch probably read these lines – he published an essay in the very same issue of the *Deutsches Magazin* in which d'Armand's article appeared. But although Hegewisch was more cosmopolitan than Smith, he was more cautious than d'Armand.

3 HEGEWISCH'S ARGUMENTS IN FAVOR OF A WORLD-WIDE FREE MARKET

Hegewisch's most important publication defending the global free market is an anonymous article in the *Berlinische Monatsschrift* of 1792: "On the True Principle of Trade Legislation, and on the Preparatory Measures to Extend and Stimulate Commerce Among all Peoples to the Highest Possible Degree." He published a number of other journal articles and added further texts on the topic in later collections of his essays. Because he republished the anonymous 1792 essay in one of these volumes, it is possible to attribute it to him.⁸

Hegewisch argues, in line with Smith, that mercantilist protectionism fails because it falsely assumes that one's own state will profit if other states are unable to export their goods. Instead, he argues, it is more advantageous for everyone involved if nations import goods that would be more expensive to produce domestically. It is a mistake to conceive of imports as a mere "loss of money." When the inhabitants buy goods for the money they not only get something in return, but they also add something else of importance, namely, an increase in their welfare. Therefore, if they freely exchange their money for goods they prefer, the purchase results not in a loss but a gain for the state.

Conversely, if the government makes imported goods more expensive through imposing tariffs, this makes the population less happy than it could be. The population has to pay more (whether for the more expensive domestically produced goods or for the taxed and hence even more expensive imported products), and that means they have less money to spend on other things. These other things might include the education of their children, or other goods that would generate jobs domestically.

Once protectionism is abolished, Hegewisch grants, other states will gain more from their exports. But their gain is not a threat. On the contrary, if they reach a higher standard of living they become even better trading partners, because it allows them to import more, too. As he puts it, England does better when surrounded by prosperous countries than when surrounded by Siberias, yet the implicit aim of mercantilism is the production of more Siberias (GH 529).

On these grounds, Hegewisch advocates economic liberalization and globalization. Individuals should have the freedom to migrate, the freedom to choose their occupation, and they should be educated in such a way that they acquire multiple skills and are flexible enough to adapt to a changing job market. These were radical proposals in the context of his day, and they required the abolition of a number of institutions and laws: mobility restrictions, the guilds, exclusionary tax treaties granting special advantages, and any and all taxes on trade (GH 527–35). The list of measures that promote free trade includes not only the obliteration of existing impediments, but also the enhancement of other conditions for a free and flourishing market: the expansion of the necessary infrastructure (roads, postal service, canals, couriers, etc.); the improvement of education and of knowledge generally, through better schools, popularizing books, and journals; and an increase in tolerance in all countries (GH 533–34). These measures do not necessarily have to be implemented by the government, Hegewisch adds, except those involving changes in laws; many of these measures can be implemented by private business.

Hegewisch largely agrees with Smith here. But in at least two respects he goes beyond him: he criticizes Smith for being both foolish and cruel regarding the negative effects, for certain workers, of market liberalization. And second, in contrast to Smith he develops a form of free-market cosmopolitanism, arguing that this is the only consistent way to implement Smith's proposals.

Regarding the first point, Hegewisch realizes that free trade may lead to a significant shift in production methods, and that many people may lose their jobs as the occupations supported by protectionism disappear, leading to poverty and loss of population. Against Smith, he argues that the state has an obligation to take care of people who lose their jobs as a result of the initial changes, and that the state should protect them from starvation (GH 515). Smith writes that foreign trade will make life cheaper for every citizen, and Hegewisch finds him too lighthearted about the fact that it will initially put many people out of work. Smith addresses this problem only briefly, and he simply says that one needs to find ways to let these people find new lines of work. On Hegewisch's assessment, this is "foolishness connected with cruelty." Because, he writes, "until those [new jobs] are found, they starve" (GH 516). When this occurs, this situation constitutes a violation of state duties. He asks rhetorically, "what would be the duty of a state if it weren't the preservation of its citizens?" (GH 515). Indeed, "joint preservation [is] the first and essential end for the sake of which people commit themselves to a state" (GH 515).

Hegewisch is right that Smith denies that the government has a duty here. The most Smith is willing to grant is that "humanity" (a moral notion) might in some cases require a gradual liberalization of the market instead of doing it all at once, if the latter would deprive too many people of their livelihood. But Smith goes on to claim that things would not be as bad as people commonly imagine because laid-off workers will find other employment.⁹

Hegewisch denies that it is generally true that unemployment will easily resolve itself, and he believes that the government does have a duty toward workers who lose their income. He specifically limits this criticism of Smith's approach to the transition stage, however. He writes that his objection will no longer hold once there is a *world-wide* free market with optimal openness and interaction between all countries (GH 517). At that point, "[t]he complete freedom to emigrate for each subject, and the complete abolition of the guilds, would absolve the state of this duty [to assist the unemployed]" (GH 531).

As a second point of disagreement with Smith, Hegewisch points out that the transition problems will be more severe if the transition toward free trade is done unilaterally by one state or a group of states, because then other states will naturally take advantage of the situation at the expense of

the population of the liberalized trade zones. Allowing a merely partial transition would therefore be irresponsible on the part of a government. The liberalization of trade needs to be well orchestrated as a concerted effort on the part of *all* states (NB 255).

This disagreement also marks the point at which Hegewisch's theory turns into free-market cosmopolitanism and Smith's does not. Smith's focus was on the strength of an individual country and on how it would gain rather than lose from free trade (in terms of industry, wealth, technology, and military strength). He wished to show that free trade does not make a country weaker but stronger. Smith did not extend his theory in the direction of a *global* free market.¹⁰ Hegewisch, by contrast, insists that free trade *requires* a global free-market system in order to work properly.

Hegewisch also believes that once this global system has been realized, the role of the individual states and their governments diminishes drastically. Because the main tasks of national governments are currently national defense and the protection of citizens' livelihoods, he writes, their future role in a global free market will be at most auxiliary. In a global free market, war is in no one's interest, and citizens do not need subsistence guarantees by the government. They simply relocate, as needed, to where the jobs are (GH 517). Thus, Hegewisch writes,

[The government's role shrinks] [a]s soon as those natural human rights, the right to emigrate and the right to freely choose one's occupation, are recognized and restored by the rulers of the peoples; as soon as [coercive regulations regarding land use, guilds, manufacturing, and trade] are lifted; as soon as the nations approach one another more than they part ways; as soon as they want to ground their prosperity more on perfectly friendly interaction than on isolation. (NB 256, cf. GH 531)

The "fathers of the peoples" – the political rulers – are then left with little else to do than letting their subjects take care of themselves.

Hegewisch's claim that states will become relatively unimportant follows directly from his view on the state's function. As mentioned above, he sees the essential aim of the state as the joint self-preservation of its citizens. If states must no longer serve that need because this function is better taken care of by a global market, then this global economic community becomes as it were a cosmopolitan state in which individuals jointly pursue their

preservation. In this way, Hegewisch's market cosmopolitanism follows immediately from his view of the (disappearing) rationale for the individual states.

Hegewisch's advocacy of global free trade can rightly be called a form of cosmopolitanism, because of its orientation toward a global community of joint self-preservation. This is perhaps made clearest by contrasting his cosmopolitan conception with a non-cosmopolitan alternative conception of a global free market, namely, an aggregate of unconnected and self-interested individuals. Such an aggregate would not merit the designation "cosmopolitan," as there would be no "polis" there, not even a metaphorical one. Because Hegewisch views "joint preservation" as the aim and essence of the state, one may justifiably speak of a cosmopolis when this function is entirely taken over by a global market for a world-wide community.

Given how widespread racism and Eurocentrism were at the time, one might wonder whether Hegewisch, when he speaks of the whole world, really means the whole world or merely all of Europe. But Hegewisch is explicit on this point. In the 1795 essay entitled "On the probability of a future more perfect condition of humankind," he paints a peaceful picture of the "perfect condition of humankind" which he defines in terms of all peoples living together in a calm peace and "brotherly harmony" (WvZ 62, 66), and in terms of all humans becoming good neighbors and friends (WvZ 65). He expects trade to help accomplish this, but then trade will first have to become more reciprocal. He complains: "We [Europeans] know the earth as a lord knows his estate, and we know its inhabitants the way a lord knows his peasants; but we *ought to* know them in the way we know good neighbors and friends" (65, emphasis added). Thus far, he continues, the contact has also been very one-sided. Europeans have sailed the seas to far-away places, but there has not yet been a comparable movement in the other direction, and the peoples far away have not gained a similar knowledge of Europe. As one of the conditions for the possibility of such mutual knowledge he sees the art of book printing and world-wide literacy, and in the future, he expects a community of "all nations of the earth, with not a single exception," "from the far East to the far West," and "from one pole to the other," including "Negroes, Malaysians, Iroquois, and New Zealanders" (68). There can be no doubt that Hegewisch's vision really included humans of all parts of the world.

4 PROBLEMS WITH HEGEWISCH'S VIEW

It was hard for someone like Hegewisch, who wrote about a free market without having much practical knowledge of its actual workings to draw on, to foresee all its consequences and side effects.¹¹ He did not foresee, for example, the problem of monopolies or the problem of the non-temporary nature of the duty of poverty relief. The latter will be particularly relevant when we make the comparison with Kant in the next section.

Hegewisch had a good eye for transition problems and took them more seriously than did Adam Smith. But he thought they were problems limited to a clearly demarcated transitional phase: once free trade had been introduced everywhere, the system would maintain itself. The world *keeps* changing, however: new technologies replace the old ways, new needs and interests emerge, some raw materials get exhausted and others are discovered, and so on. This means that the transition problems outlined by Hegewisch are not temporary but perennial and that they keep shifting around. Whether it is the invention of the cotton-picking machine or the computer, some jobs are lost and other jobs are created, but the new jobs often do not match the number, locations, and required skills of the old ones.

If it is the government's task to mitigate the effects of this dynamic (as Hegewisch claimed), then governments do not lose their purpose in the way he thought. He should have been committed either to defending a larger and more permanent role to state governments, or to the establishment of some kind of institution with world-wide scope that would take over this role. Either way, the global market would look significantly different from the way he envisioned it.

The costs of labor mobility are not only less temporary but also more substantial than Hegewisch believed. It may not be so easy for individuals to move across the earth looking for work, for many reasons – if the reason they are looking for work is that they have run out of money in the first place, or if work does not pay a living wage no matter where it is, or if the particular nature of their family ties (responsibilities toward non-mobile family members, for example) makes people unable to relocate. Moreover, this process of permanent transitions and the concomitant shifts in employment opportunities turn individuals into rivals competing for

employment, leaving the ideal of an eternal “brotherly harmony” perpetually out of reach.

Furthermore, if transitions are a permanent feature of free markets, and if governments consequently have permanent duties to aid those whose livelihood is threatened, then the question arises whether it is possible for governments to protect their own citizens from the ill effects of free trade without reducing, directly or indirectly, freedom of trade itself. Certainly the temptation to restrict imports or the free movement of workers across borders will be strong. And even when formal freedom of trade is retained, other measures such as government-sponsored employment programs may indirectly interfere with the principles of the free market as Hegewisch envisioned them. Last but not least, if the country as a whole is poor, or burdened in other ways, its government may not have the resources to support the people.

The problem of monopolies has a different origin. Natural resources are distributed unequally over the earth. There are states and territories that are severely disadvantaged in comparison with others, and there are others that are so lucky as to have natural resources wanted by all others. There will always be the temptation, for states and corporations, to abuse power or resources and build a monopoly. In the absence of any institution to prevent this from succeeding – and Hegewisch does not conceive of one – there is a built-in tendency to undermine the harmonious free-market cosmopolitan ideal he sketches. The true defender of free trade will argue that monopolies will prompt the development, by others, of alternative options. But this may not always be feasible. It is not inconceivable that, say, a single multinational corporation would gain control over a large portion of the world’s fresh-water supply and start charging excessive fees. This would subvert the role of the cosmopolitan market as the best way for humans to pursue their joint preservation, and the “free” market would dialectically turn into its opposite. Preventing such crippling monopolies – and, more generally, “market failures” – requires institutions with the requisite legislative scope and powers.

In short, Hegewisch’s free-market cosmopolitanism faces several problems regarding the role of the government in poverty relief and monopoly prevention. Both have to do with what one could call economic justice. I shall now turn to Kant, to compare his views on international trade with Hegewisch’s.

5 KANT ON THE SPIRIT OF TRADE

How Kant conceived of trade, and especially whether he defended free trade, is hardly discussed in the literature. This is especially remarkable given how well known his claim is that the “spirit of trade” promotes peace (see [Chapter 3](#)). I shall argue that if one puts his remarks on the spirit of trade together with his mid-1790s views on economic justice and the aim of the state, it becomes clear that Kant is neither a mercantilist nor an unconditional defender of free trade, nor some odd mix of these, but that he defends an alternative position of his own. He discusses the role and limits of the market in terms of “right,” and he is able to deal with the problems connected with Hegewisch’s position, as discussed above.

Kant did not always describe the effects of trade in positive terms. In the *Critique of Judgment* (1790), for example, his attitude was rather negative. This was not motivated by any of the problems mentioned above, but by the bad effects he attributed to the inherent focus on self-interest operative in trading relationships. Kant contrasted the “sublime” effects of war with the “debasing” effects of the spirit of trade:

Even war, when it is conducted with order and respect for civil rights, has something sublime about it, and it also makes the manner of thinking of a people conducting war in this way only more sublime, the more dangers it was exposed to and was able to stand up to with courage. By contrast, a long peace tends to make the mere spirit of trade dominant and with it base self-interest, cowardice, and weakness, and thus [a long peace] tends to debase the manner of thinking of a people. (KdU 5: 263)

By the time Kant introduces the new notion of “cosmopolitan right,” however, in *Toward Perpetual Peace* (1795), his assessment has changed radically. In the light of the importance Kant here attributes to mutual understanding, community and peace, it is clear that he is now unambiguously positive about the effects of trade. He writes that it was trade which “first brought [peoples] into *peaceful relations* with one another, even with those at a great distance, and thereby into relationships based on mutual understanding, community, and peace” (ZeF 8:364). In *Toward Perpetual Peace* the “spirit of trade” is the answer to the question

of what can “guarantee” that the principles of cosmopolitan right will be respected. He now calls the peace resulting from trade “noble” rather than debasing, and writes that the spirit of trade leads to a situation that functionally resembles a league of states (the establishment of which Kant also advocates in *Toward Perpetual Peace*, as discussed in [Chapter 2](#)). He writes:

It is the *spirit of trade*, which cannot coexist with war, and which will, sooner or later, take hold of every people. Since among all of the powers (means) subordinate to state authority, the *power of money* is likely the most reliable, states find themselves forced (although not exactly by incentives of morality) to promote the noble peace and, wherever in the world war threatens to break out, to avert it by means of negotiations, just as if they were members of a permanent league. (ZeF 8:368)

Kant here argues that trade unites different states (and their populations) through reciprocal interest and mutual benefit, and that in cases where tensions emerge between states, the spirit of trade pushes them to pursue negotiation and mediation, “just as if they were members of a permanent league.” This is a step on the way toward peaceful interaction across the globe. Great alliances for the sake of war, Kant adds, hardly ever occur and even more rarely succeed.

The term “spirit of trade” (*Handelsgeist*), used by Kant, translates Montesquieu’s “*esprit du commerce*” in the *Spirit of the Laws* (1748). Kant’s positive assessment of the effects of trade, in the context of his discussion of the realizability of cosmopolitan right, echoes statements also found in that book. In the section entitled “On the Spirit of Trade” [De l’esprit du commerce], Montesquieu stated:

Peace is the natural effect of trade. Two nations who traffic with each other become reciprocally dependent; for if one has an interest in buying, the other has an interest in selling: and thus their union is founded on their mutual necessities.^{[12](#)}

But whereas Montesquieu continued his discussion by stating that hospitality is “rare among commercial countries,” Kant claims that the spirit of trade ensures the feasibility of cosmopolitan right, and thus the right to

hospitality (see [Chapter 3](#)). It does so by leading states to avoid war and to maintain trade relationships. Their trade leads to mutual understanding, community, and peaceful interactions across the globe. This is a world of “hospitality” in the (Kantian) sense that prospective visitors are not treated with hostility for the mere reason that they are initiating contact.

6 KANT AND FREE TRADE

Kant’s claim that trade has positive effects for world peace does not tell us what his attitude is toward so-called *freedom* of trade. In the literature Kant’s claim is often read as entailing a defense of free trade, but the claim itself is compatible with a range of positions on the matter. In fact, as I shall explain in more detail below, Kant does not advocate free trade as an ideal in its own right. What is more, there are passages in which he clearly defends protectionist measures and taxes on trade.

In distancing Kant from Smith and Hegewisch, my reading runs counter to that of Samuel Fleischacker. Fleischacker is one of very few authors who have discussed Kant’s position on international free trade, and he has provided the most extensive defense of the view that Kant “adopted a free-trade doctrine,” “called for the deregulation of commerce,” and “seems to have seen the free market as having an intrinsic ethical value, quite apart from the distribution of wealth to which it might lead.”¹³ Fleischacker does not attribute much significance to a passage in which Kant calls for protectionist measures. He merely states that it suggests that “Kant either did not read, did not understand, or had forgotten much of the *Wealth of Nations*.”¹⁴ There is another possibility, of course, one not considered by Fleischacker, namely, that Kant *disagreed* with Smith on the issue of free trade. Kant was familiar with the *Wealth of Nations*, and he mentions it in several places.¹⁵ I shall argue that Kant decidedly did not see the free market as an intrinsic moral ideal that trumps questions of distributive justice. Instead, he regarded *just* trade as more important than free trade. In order to prepare the way for this thesis, I first examine the evidence Fleischacker puts forward in support of his interpretation.

Fleischacker mentions only two passages which in his view provide direct evidence that Kant saw the free market as “having an intrinsic ethical value, quite apart from the distribution of wealth to which it might lead.”

(The rest of his argument focuses on possible evidence that Kant had read Smith.) Both passages, however, can and should be read differently. Neither implies that Kant adopted a free-trade doctrine.

The first passage is Kant's statement, in the "Idea for a Universal History," that "civil freedom can no longer easily be infringed without disadvantage to all trades and industries, and especially to commerce" (IaG 8:27). Fleischacker reads this statement as a defense of free trade.¹⁶ The problem with this interpretation, however, is that Kant here claims that infringing civil liberties such as freedom of religion (the example Kant mentions) has deleterious effects on the economy. That is not the same as advocating free trade. The civil liberties mentioned by Kant neither straightforwardly imply nor require free trade, and there is no evidence that Kant thought they did. In other words, this claim does not provide evidence that he defended free trade.

The second passage on which Fleischacker relies is Kant's remark in the "Conjectural Beginning of Human History" that "without *freedom* no industry takes place" (MAM 8:120). Read in isolation, this could indeed be taken to be an argument in favor of free trade, but actually, Kant's argument again concerns a different kind of freedom. He argues that a despotic state is less rich than a state with freedom, and that a state's desire for wealth and power therefore moderates despotic oppression. He writes that it is important that people "*feel free* within a society" and that poor people need this sense of freedom in order to devote themselves industriously to the maintenance of their commonwealth (MAM 8:120, emphasis added; cf. IaG 8:28). There is no indication in the passage that Kant believes this feeling of freedom has anything to do with freedom of trade. Therefore, neither of the two passages really shows that Kant defended free trade.

What is more, there is direct and unambiguous evidence that Kant defended import restrictions and taxes on trade, at least under certain circumstances. In "On the Common Saying" from 1793, Kant writes in no uncertain terms:

[Measures that might be required for the existence of a commonwealth] include certain restrictions on imports, so that the means of livelihood may be supported for the benefit of the subjects themselves and not as an advantage to foreigners or an encouragement for the industry of others; for without prosperity

of the people the state would not have enough strength to resist foreign enemies or to maintain itself as a commonwealth. (GTP 8:299n.)

In another revealing passage, in *Toward Perpetual Peace*, Kant defends the right on the part of China and Japan to be very restrictive in their dealings with foreign trading companies (ZeF 8:359). As discussed in [Chapter 3](#), Kant motivates his endorsement of their policies in terms of the right of the Chinese and Japanese to avoid the “litany of evils” that would otherwise be caused by European trading companies (ZeF 8:359). What this comes down to is a defense of Japanese and Chinese protectionist policies, at least insofar as they are necessary to avoid severe injustice.

Importantly, a defense of import restrictions for the sake of avoiding a litany of evils or for maintaining the existence of the commonwealth is not the same as an unqualified defense of protectionism. There is no reason to interpret these passages as allowing *all* forms of protectionism for all kinds of reasons. Kant does suggest that there are cases in which protectionism is justified, but he does not argue that it is permissible whenever it is perceived to be in the state’s interest. Both in “On the Common Saying” and in *Toward Perpetual Peace* he defends import restrictions in terms of the requirement to maintain the civil condition and to prevent severe injustice. He regards justice and the political autonomy of “peoples as states” as more important than freedom of trade. It is very clear from these texts, then, that free trade is not an unconditional ideal for Kant.¹⁷

Of course, this may still leave open the possibility of defending a limited version of free trade. Therefore, I now turn to the question of whether Kant’s view leaves any theoretical space for advocating a liberalization of trade within the limits of justice.

7 TRADE AND JUSTICE WITHIN THE STATE

Kant’s view on the limits of free trade can be more fully understood when it is placed within the context of his defense of the state, and it is helpful to contrast this with Hegewisch’s views on the same subject. According to Hegewisch, the aim of the state is joint preservation and this aim is best served by a cosmopolitan system of free trade. Therefore, he argued, the role of state governments should be vastly reduced.

Kant takes a different position.¹⁸ The reason why people ought to form a state and leave the state of nature, on his view, is not the imperative of self-preservation or the pursuit of happiness but the normative requirement to secure equal spheres of external freedom for all individuals. He views the very *possibility* of violations of individuals' external freedom as sufficient to impose on everyone the duty to establish or join a state. Even perfectly friendly and cooperative individuals who support each other in their various projects should unite into a state (cf. MdS 6:312). Otherwise they could unwittingly infringe on the freedom of others, for example, by acting on misguided paternalistic maxims. The just state, then, should be a state in which (1) just laws guarantee equal spheres of external freedom and in which these just laws (2) are paired with a coercive state power to enforce them. The only way to structure a just state without violating individual freedom and equality is by giving the state the form of a system of *self-legislation* of the people (through their representatives). This, in a nutshell, is Kant's view of the role and basis of the state.

Because right (*Recht*) is the aim of the Kantian state, the state's role never shrivels to that of a mere facilitator of free trade. The state will always have to maintain and enforce just laws that secure individuals' external freedom. Given that the just state is a system of self-legislation, there will also always have to be republican (today we might say "democratic") institutions that embody this form of political autonomy (see [Chapter 1](#)). This is a good deal more substantial than the minimal political institutions envisioned by Hegewisch. It means, for example, that the people should be actively involved in the political process, and that the preconditions for their political involvement should be secured.

Moreover, although Kant does not regard joint preservation as the final end of the state, he does hold that the state has a duty to save those whose lives are endangered by the vicissitudes of the market or by other problems they are unable to solve. Freedom, rather than joint self-preservation or happiness, is *the* aim of the state, but Kant regards poverty relief – relief of involuntary poverty, that is – as one of the tasks of the state that is associated with this aim. Kant writes:

The general will of the people has united itself into a society which is to maintain itself in perpetuity, and to this end it has subjected itself to the internal authority of the state in order to

maintain those members of the society who are unable to do so themselves. On behalf of the state the government is therefore authorized to require the wealthy to provide the means of sustenance of those who are unable to provide for even their most necessary natural needs. The wealthy have obligated themselves to the commonwealth, since their existence is also an act of subjection to its protection and care required for their survival. On this the state now bases its right to have them contribute their share for the maintenance of their fellow citizens. This can be done either by imposing a tax on the property or commerce of citizens, or by establishing funds and using the interest from them. (MdS 6:326)

It is beyond doubt that Kant here defends state-funded poverty relief, but the reasoning is somewhat ambiguous. This is not so much because of the talk of a society instead of a state; the context makes it clear enough that a *state* welfare system is at issue. But this passage could easily be misread as a version of the view that the aim of the state is to serve the well-being of its subjects. This would make it hard to square with the many passages in which Kant denies just that (e.g., MdS 6:318; GTP 8:290–91). I would like to suggest, however, that if we read the text in light of Kant’s ideal of the republic a reading presents itself that makes good sense in terms of the larger framework of Kant’s legal theory.

Keeping in mind that for Kant the ideal state is a republic, his reasoning in the quoted passage seems to be as follows: when the people establish a republic, they also aim at its permanence – by its nature, right is not merely a temporary concern. But when the people aim at the permanence of a republic, they aim at the permanence of its constituent members, because the republic cannot be conceived as divorced from the citizens who form it. A republic *is* the people united politically into a state, so maintaining the republic includes maintaining its citizens. Therefore, the republic ought to relieve the poverty of citizens who are not able to meet their basic needs (MdS 6:326).¹⁹

Interpreted in this way, this duty is not the same as a duty of unconditional poverty relief,²⁰ because the state does not have the duty to relieve the poverty of those who could relieve it themselves. On the other hand, it is also not the case that “in the Kantian state, the legislative body might also rightfully choose to provide *no* support for the poor,” as Allen

Wood has suggested.²¹ Kant's position lies between these two extremes: the quoted passage above shows that, on his view, the state has a duty to support those who are unable to support themselves, and the legislature could therefore not rightfully deny this support.

Kant argues that the political community should carry the burdens of providing for those members who cannot provide for themselves. This is because one should conceive of the members of the state as a group which jointly, as a community, subjects itself to the laws of the state, for the sake of justice, such that all are protected by the state. The rich members of this political community benefit from this protection, too, and they can therefore be taxed, just as others would be taxed to provide for them should they become poor (MdS 6:326).

The question is not only who should carry the burden and why, but also by what legal title the state coercively imposes this burden. Of course, one could start by pointing out that because in the just state the people give the laws to themselves (through their representatives), any taxes are ultimately self-imposed. A further consideration – and the one Kant mentions – is that the state, through its legislation, is the condition of the possibility of there being lawful individual property and trade at all.²² This “deeper” role of the state allows it to levy taxes on individual property and commerce even after land has become the property of citizens. Kant specifically mentions as options not only taxes on property but also taxes on trade, without ruling out other objects of taxation such as income (MdS 6:326).

My reconstruction of Kant's argument for welfare support runs counter to an influential line of interpretation in the secondary literature, of which Wolfgang Kersting is an important representative. On his assessment, Kant's legal and political theory cannot provide a defense of welfare as a matter of right:

Kantian equality is totally indifferent towards the economic structure of society and the distribution of goods, means and socio-economic power laid down by it. Kant's legal and political equality lacks all economic implications and social commitments; it cannot be used to justify the welfare state and to legitimise the welfare state programmes of redistribution.²³

Kersting grounds this assessment in the argument that equality, for Kant, refers to equality under the law, not socio-economic equality. Kersting adds

a note stating that he does not mean to say that there is no possibility at all of constructing a defense of welfare that is compatible with Kant's political theory. But whatever form this defense takes, he writes, it will have to be merely *instrumental*, that is to say, a defense in terms of what is necessary for the existence or stability of the state. According to Kersting, welfare is not and cannot be a matter of right and is therefore not an integral part of Kant's legal theory.²⁴

If my reconstruction of Kant's argument for welfare support is correct, however, the fact that he grounds the republic's duty to provide welfare in the notion of the republic (which cannot be conceived independently from the citizens who constitute it) does have the implication that welfare is a matter of right. Of course, the survival or stability of the republic might be an *additional* and instrumental reason for welfare support, or it might be a reason to provide more generous or different kinds of support. But the basic right to welfare is not contingent on empirical circumstances for its justification. And because the argument is based on the notion of the republic, poverty relief is a matter of right, not moral benevolence or political prudence.

Moreover, this discussion shows that Kant is not "totally indifferent" to inequality. Kersting is right that Kant does not see socio-economic equality as such as a requirement of right. But Kant is concerned to eliminate unjust inequality, and that is itself quite an exacting demand. As he puts it in "On the Common Saying," a person can be considered happy if he is aware that

if he does not reach the same level as others, the fault lies only in himself (his ability or earnest will) or in circumstances for which he cannot blame anyone else, but not in the irresistible will of others, who, as his fellow subjects, have no advantage over him as far as right is concerned. (GTP 8:293–94)

Others have no more right to advancement than he does, and vice versa. Thus, this passage indicates both Kant's endorsement of the principle of equality of opportunity and his rejection of luck-egalitarianism (since he implies that differential ability is a justifiable ground for inequality). The point that the cause of inequality can only rightfully be on the side of the individual citizens themselves is significant. For Kant in fact regards *most* inequality as the result of injustice. In a revealing passage in the *Metaphysics of Morals*, he writes:

Having the resources to practice beneficence, which depends on the goods of fortune, is for the most part a result of certain human beings being favored through the injustice of the government, which introduces an inequality of wealth that makes the beneficence of others necessary. (MdS 6:454)

This passage makes clear not only that Kant regards inequality of wealth as “for the most part” the result of the injustice of government, but it also suggests that the government should make the necessary reforms to prevent or eliminate such injustice and hence eliminate unjust inequality.²⁵ Furthermore, Kant insists that there be no unjust social hindrances, such as hereditary privileges, that hold back some while benefiting others (GTP 8:292). This, too, shows that Kant’s theory of right is not “totally indifferent” to socio-economic inequality.

In defending property taxes for the sake of poverty relief, and in defending taxes on commerce, Kant’s position is clearly far removed from that of libertarians like Robert Nozick. But this does not imply that Kant would have to oppose the liberalization of international trade. Kant’s position allows the citizens of a republic to decide in favor of a liberalization of trade, for this is a *political* decision. If states are just (that is, if they are republics) and if their citizens wish to liberalize international trade, they would be entirely within their right to do so, provided they secure and maintain the background conditions of justice. Thus, the state has to provide poverty relief to citizens who lose their jobs through no fault of their own and are unable to support themselves, and the background conditions of trade should allow for equality of opportunity. It might indeed be sensible for citizens to liberalize trade, if doing so has significant advantages and if it can be institutionalized in a just way, so that no unjust inequalities arise. If conditions are fair and involuntary poverty is relieved or eliminated, however, Kant sees no requirement of right for further principles to reduce inequality. Of course, as Allen Wood has rightly pointed out, the citizens of a republic may also jointly decide to endorse redistributive measures that reduce inequality much beyond mere poverty relief.²⁶

Kant’s texts certainly do not suggest a position such as the one developed by Fichte, in his 1800 book, *The Closed Commercial State*.²⁷ Fichte saw himself as following the same basic justificatory strategy as Kant with

regard to the role and authority of the state. On his view, however, much more would be required to achieve just background conditions than Kant allowed – so much, in fact, that he ended up advocating a state-run planned economy. In the closed commercial state, all individuals would have centrally assigned tasks in the process of the production of goods. Fichte defended this system on the grounds that the distribution of wealth and other social goods should not be left to chance or individual initiative. It should be regulated entirely by the state, in order to guarantee that all would receive the basic necessities. Foreign trade by individuals or corporations would be forbidden, because it would interfere with central planning. If there were to be foreign trade at all, it could be carried on only by the state itself. Fichte saw the vicissitudes of the international economic market as inimical to the project of ensuring justice and equality (e.g., GHS 3:457–58).

Kant, by contrast, repeatedly praises the productive effects of competition in general (e.g., IaG 8:21, ZeF 8:367). He explicitly argues that natural endowments are unequally distributed among the population, but that considerable material inequality is consistent with right, provided that just background conditions allow all individuals to make use of their “talent, industriousness, and luck” without arbitrary obstacles holding them back (GTP 8:291–93). Kant regards individual initiative and rivalry as having a beneficial effect, and he defends the view that different kinds of inequality are compatible with citizens’ equality as subjects under the law (GTP 8:292). Apart from his argument in defense of state support for those who are unable to provide for their own basic necessities and his argument for equality of opportunity, he does not argue for any further principles of right to reduce or limit the inequality that may result from trade conducted in a fair manner. This does not prohibit citizens from passing laws to reduce or even eliminate such inequality, but doing so is not required as a matter of right.

If the state is the condition of the possibility of private property and trade, and if the ideal aim of the state is a condition of secure individual external freedom, then Kant’s theory enables him to defend the legitimacy of legislation that prohibits monopolies on the production or sale of necessary goods. A monopoly on fresh water, for example, could threaten the external freedom (the lives, in fact) of citizens and the existence of the state.

Therefore, legislation preventing this from happening would be in accordance with the principles of right.

In sum, the citizens of a republic could rightfully decide to do away with tariffs and taxes on trade, on the condition that the background conditions ensuring the justice of these relationships are in place, that poverty relief can be provided by different means, and that crippling monopolies are prevented. But such a relative liberalization of trading relationships will never turn into the more radical form of free trade which Fleischacker thinks Kant defends and which free-trade defenders usually understand by the term.

8 KANT AND THE BACKGROUND CONDITIONS FOR JUST INTERNATIONAL TRADE

After this analysis of Kant's views on trade and right within a domestic society, I would now like to turn to the question of whether, and if so how, this analysis can be extended to the level of international trade. The background conditions for a just form of international trade require not only the appropriate organization within the individual states, but also an international framework. As different states and their inhabitants interact with each other, it becomes necessary to ensure that they do not violate each other's rightful freedom.

Allen Wood has rightly noted that Kant deals with issues of poverty and redistribution "entirely at the level of the right established within a single nation-state" but that "twenty-first century issues about these matters are bound to involve also questions of justice between nations."²⁸ There is indeed no argument to be found on the surface of Kant's texts that speaks to the assistance states owe to each other or an institutional framework ensuring the justice of international trade.

If we look at Kant's ultimate ideal as discussed in [Chapter 2](#), namely, the ideal of a republican "state of peoples" or "world republic," however, the fact that Kant describes this condition as analogous to a state makes it possible to extend his analysis of trade and right at the domestic level to the international level. Because the relevant features of both levels are similar, the argument for poverty relief at the domestic level can be rephrased in terms of the ideal of the federative world republic. Then it would seem to

follow similarly that the international federation (the state of peoples) is to provide support for states that are unable to maintain themselves. The argument would go as follows: when republics establish a republic of republics for the sake of justice, they also aim at its permanence, because justice is not merely a temporary concern. But if they aim at the permanence of a republic of republics, they also aim to uphold the subsistence of its constituent members, because a world republic cannot be conceived as divorced from the member republics that constitute it, so maintaining the world republic implies maintaining its constituent republics. Therefore, the international federation ought to relieve the poverty of those member states that are not able to maintain themselves.²⁹ Furthermore, the background conditions of trade should of course be just, such that there is equality of opportunity and there are no hereditary privileges. Kant's critique of hereditary privileges, when transposed to the international level, would seem to imply the demand to eliminate the persistent effects of colonialism in international trading relations, for example. This would still allow for considerable inequality among states, however, as Kant does not stipulate any principles for regulating inequalities that arise within the context of just background conditions.

Before such a world republic is formed, however, Kant's argument for poverty relief does not have a parallel at the international level. Kant's argument is tied to the specific structure of the relations between citizens and the republic, and in the absence of a structure of this kind, the argument does not get off the ground. Moreover, because a loose and voluntary league of states does not have enforceable common laws, it could not sufficiently institutionalize poverty relief and taxation schemes anyway.

This does not mean that Kant has nothing else to say about global economic justice before the world republic. The first thing to mention is his conception of cosmopolitan right. Although the category of cosmopolitan right covers much more than just trade, it *also* explicitly covers international trade. This fact already demonstrates that Kant saw the need for a framework, in terms of right, for international commerce. On the one hand, cosmopolitan right stipulates a universal right for human individuals and states to attempt to engage in commercial transactions, and a right not to be treated with hostility for trying. On the other hand, Kant argues, as I showed in [Chapter 3](#), that states have the right to restrict access to their markets if they have good reason to believe that this is necessary to prevent

significant and unjust harmful effects. Both of these requirements of right set some (though admittedly general) parameters on admissible behavior in the global market and could be elaborated to include more specific regulations that ensure fairness of trade.

Second, Kant describes the process from the league of states to the world republic (state of peoples) as a gradual one. It would seem that the more features of the latter the federation acquires, the more it acquires the duty of poverty relief.

The account in this section is explicitly based on extrapolation. But the fact that such extrapolation is possible is enough to show that Kant's mid-1790s theory of right contains the building blocks for an account of global economic justice. The positive role Kant attributes to international trade does not imply an unconditional endorsement of "*free*" trade, although a considerable liberalization of trade is compatible with Kant's views, provided that the conditions of international justice are in place. These background conditions are articulated in terms of his theory of right. International trade, in turn, is said to lead to the functional equivalent of a league of states and to promote the realization of cosmopolitan right. How Kant's theory of international economic justice, thus construed, compares with current theories, especially those of Rawls and his "cosmopolitan" critics, I discuss in [Chapter 7](#).

Because the focus in this chapter was on international trade in relation to *right*, I have not said anything here about the *moral* duties of individuals who engage (directly or indirectly) in international commercial transactions, and of course a lot could be added, from a moral perspective, about issues of international trade. For example, it can be shown quite easily that Kant's moral theory prohibits forms of trade in which one party coerces or deceives another, and coercion can also take the form of intentionally taking advantage of the miserable position of a weaker trading partner who has no other option but to accept an exploitative deal. Furthermore, the duty of beneficence includes poverty relief, but it also demands attention to eliminating or reducing the *causes* of poverty, which might well include (for example) attempts to reform the existing regime of international trade. These moral duties exist quite apart from the existence of an international federation of a loose or strong kind, and they can be readily defended in terms of Kant's moral theory.^{[30](#)}

In the discussion of the first five chapters, I have discussed different aspects of Kant's normative cosmopolitan ideal, but I have addressed only partially the question of its realizability. This latter question came into view only with regard to the condition of right – the realization of the ideal (republican) state, the ideal of the international federation, and the ideal of a condition of universal hospitality. On Kant's view, however, even a perfect global legal condition would not yet constitute a full realization of the cosmopolitan ideal, because this also requires a *moral* cosmopolis. In the next chapter, I turn to Kant's account of the approximation of the "moral world." This is often seen as a weak spot of Kant's moral theory – indeed many readers have considered it to be entirely absent. I discuss this issue in conjunction with the cosmopolitanism defended by the early German Romantics, for whom cosmopolitan sentiments formed the core of world citizenship.

- [1](#) Hegewisch was born in Quakenbrück (near Osnabrück) and studied in Göttingen, then tutored in Hannover and Hamburg. He made a name for himself with a book on the life of Charlemagne (1777). The book landed him an appointment, in 1780, as a history professor in Kiel, where he stayed until his death. Kiel belonged to Denmark at the time but was German speaking. Hegewisch wrote a large number of books on a variety of historical topics. He established a solid reputation and became a member of the academies of sciences in Copenhagen and Munich.
- [2](#) Difference in military might was not the only factor. The nobility's tax control made it difficult for the Elector to go to war and prompted the German states to put much emphasis on salt and ore mining, as these were under state control and provided the financial basis for the states' eudaemonist politics.
- [3](#) *An Inquiry into The Nature and Causes of the Wealth of Nations* (Basel: Tourneisen and Legrand, 1791).
- [4](#) Adam Smith, *Untersuchung der Natur und Ursachen von Nationalreichthümern* (Leipzig: Weidemann, 1792). Hegewisch often quotes English texts, but in his discussion of Smith he quotes the German edition.

- [5](#) See, most notably, his essays “Of Commerce,” “Of the Balance of Trade,” and “Of the Jealousy of Trade,” in David Hume, *Political Essays*, ed. Knud Haakonssen (Cambridge University Press, [1994](#)). Hume criticized mercantilism but he defended the free market only in a very restricted sense. He advocated taxes on luxury goods and taxes for poverty relief, for example, and he saw an important role for the government not just in providing security and stability but also in stimulating the economy and the prosperity of the population. See Margaret Schabas’ new introduction to the edition of Hume’s writings on economics, David Hume, *Writings on Economics*, ed. Eugene Rotwein, new introd. Margaret Schabas (New Brunswick: Transaction, 2007 (orig. [1955](#))).
- [6](#) L. d’Armand, “Ideen über den Werth und die Möglichkeit einer allgemeinen Handelsfreiheit. An die Französische Nationalversammlung gerichtet,” *Deutsches Magazin* 1 ([1791](#)): 1–39.
- [7](#) D’Armand reversed his political position and emigrated in 1791 (but *after* the publication of this paper).
- [8](#) Anon. (Hegewisch), “Über den wahren Grundsatz der Handelsgesetzgebung und über die Vorbereitungsmitel, das Handelsverkehr unter allen Völkern zum möglich höchsten Grade zu erweitern und zu beleben,” *Berlinische Monatsschrift* 20 (1792): 502–35. The paper was reprinted in Dietrich Hermann Hegewisch, *Historische, philosophische und literarische Schriften* (Hamburg: Bohn, 1793), 225–48. I was able to attribute this anonymously published article to Hegewisch because it there appears under his own name. In this collection of essays, it is followed by his “New Observations about the Same Subject” (“Neue Betrachtungen über den nemlichen Gegenstand”), 249–56.
- [9](#) Adam Smith, *Inquiry into the Nature and Causes of the Wealth of Nations*, general eds. R. H. Campbell and A. S. Skinner, textual ed. W. B. Todd (Oxford: Clarendon, [1976](#)), 468–71 (iv.2.40–42).
- [10](#) Fonna Forman-Barzilai has argued that Adam Smith defended “commercial cosmopolitanism.” Despite her terminology, what

she attributes to Smith is not the ideal of a global free market but the notion of the moral “great society of mankind,” which according to Smith is best promoted if each individual directs their attention to its own sphere (given the limited reach of human sympathy). Fonna Forman-Barzilai, “Adam Smith as a Globalization Theorist,” *Critical Review* 14 ([2002](#)): 391–419.

- [11](#) It is possible, however, that Hegewisch’s criticism of Smith was inspired by familiarity with a rather unsuccessful free-trade experiment in Copenhagen twenty years earlier. Johann Friedrich von Struensee had taken power from King Christian VII and instituted a number of reforms in 1770–71. He turned Copenhagen into a free-trade harbor and cut state subsidies to businesses. One of the immediate results was that thousands of Copenhagen laborers became unemployed, due to a flood of cheap imports from Germany. Given Hegewisch’s position as a historian in Denmark, it is possible that his insistence on the duty of the state to relieve transition problems partly resulted from knowledge of this episode. He does not mention Copenhagen, however, but mentions examples from Portugal and France instead (NB 255). I thank Chris Laursen for mentioning von Struensee.
- [12](#) Charles de Secondat, baron de Montesquieu, *The Spirit of the Laws* (Cambridge University Press, [1989](#)), 338 (bk.20, ch.2).
- [13](#) Samuel Fleischacker, “Values behind the Market: Kant’s Response to the *Wealth of Nations*,” *History of Political Thought* 57 ([1996](#)): 379–407. The phrases are quoted from pages 385, 405, 379, respectively. Allen Rosen seems to defend a similar interpretation, Allen D. Rosen, *Kant’s Theory of Justice* (Ithaca, NY: Cornell University Press, [1993](#)), 74, 76, 211.
- [14](#) Fleischacker, “Values behind the Market,” 393.
- [15](#) There is an explicit reference to Smith’s *Wealth of Nations* already in the 1784 *Naturrecht* Feyerabend 27:1357, and also in MdS Vig 27:606 (1793–94). Whether Kant actually read the entire work is a matter on which I do not take a stance.
- [16](#) Fleischacker, “Values behind the Market,” 385.

- [17](#) There is one additional comment that has sometimes been interpreted as an indication that Kant defended free trade. This is an anecdote in the *Contest of the Faculties* that mentions the economic laissez-faire model. But Kant uses this anecdote to indicate the desirable attitude on the part of university administrators; it is not a statement about economics. (SdF 7:19–20n.).
- [18](#) For a long time, this went unrecognized in much of the Anglo-American literature, but it is now increasingly acknowledged. See my essay, “Kantian Patriotism,” *Philosophy and Public Affairs* 29 ([2000](#)): 313–41, and Paul Guyer, *Kant on Freedom, Law, and Happiness* (Cambridge University Press, [2000](#)), 235–61; Arthur Ripstein, *Force and Freedom: Kant’s Legal and Political Philosophy* (Cambridge, MA: Harvard University Press, [2009](#)); Helga Varden, “Kant’s Non-Voluntarist Conception of Political Obligations: Why Justice is Impossible in the State of Nature,” *Kantian Review* 13 ([2008](#)): 1–45; Jeremy Waldron, “Kant’s Theory of the State,” in Immanuel Kant, *‘Toward Perpetual Peace’ and Other Writings on Politics, Peace, and History*, edited and with an introduction by Pauline Kleingeld (New Haven: Yale University Press, [2006](#)), 179–200; Allen Wood, *Kantian Ethics* (Cambridge University Press, [2008](#)), 193–205.
- [19](#) On Kant and the duty of poverty relief see also Alexander Kaufman, *Welfare in the Kantian State* (Oxford University Press, [1999](#)) and Sarah Williams Holtman, “Kantian Justice and Poverty Relief,” *Kant-Studien* 95 ([2004](#)): 86–106. Holtman defends an interpretation of Kant’s argument in terms of the prerequisites for citizenship and agency. Allen Wood has suggested a related rationale, that physical survival is a necessary condition for the exercise of externally free agency (Wood, *Kantian Ethics*, 196–97). Allen Rosen comes close to the reading I defend here but reads the “general will” and “society” in an institutional sense, rather than in the concrete sense of the collective of the people. This is revealed in his objection that “surely the existence of the General Will would not be threatened by the death of one or two citizens” (Rosen, *Kant’s Theory of Justice*, 181).

- [20](#) Helga Varden, “Kant’s Non-Absolutist Conception of Political Legitimacy: How Public Right ‘Concludes’ Private Right in ‘The Doctrine of Right’,” *Kant-Studien* 101 ([2010](#)): 331–51.
- [21](#) Wood, *Kantian Ethics*, 198.
- [22](#) On the state as supreme proprietor (*Obereigentümer*), see Howard Williams, “Kant and International Distributive Justice,” *Kantian Review* 15 ([2010](#)): 43–77; Wood, *Kantian Ethics*, 197–78.
- [23](#) Wolfgang Kersting, “Kant’s Concept of the State,” in *Essays on Kant’s Political Philosophy*, ed. Howard Williams (University of Chicago Press, [1992](#)), 143–65, here 153.
- [24](#) *Ibid.*, 164, n.7.
- [25](#) See also Wood, *Kantian Ethics*, 200.
- [26](#) *Ibid.*, 197.
- [27](#) See Isaac Nakhimovsky, *The Closed Commercial State: Perpetual Peace and Commercial Society from Rousseau to Fichte* (Princeton University Press, [2011](#)).
- [28](#) Wood, *Kantian Ethics*, 204.
- [29](#) For an argument to the effect that Kant’s analysis of the “supreme proprietorship” of the state can be transposed to the international level, see Williams, “Kant and International Distributive Justice.”
- [30](#) See, for example, Onora O’Neill, *Bounds of Justice* (Cambridge University Press, [2000](#)).

Chapter 6 Kant and Novalis on the development of a cosmopolitan community

1 INTRODUCTION

Cosmopolitan theories are often criticized for lacking a convincing account of the realizability of the cosmopolitan ideal. Critics assert that in order for this ideal to be realized, humans would need to develop felt attachments to humanity or humans in general, but that the world is too large and humanity too abstract for cosmopolitan attachments to develop. Therefore, they charge, the cosmopolitan ideal is destined to remain a pipe dream.

There are three ways to counter this line of criticism. One response is to admit that the development of the supporting psychological dispositions is unlikely, while insisting, heroically, that we ought to strive for the cosmopolitan ideal nevertheless, because its absolute impossibility cannot be proven. Alternatively, one can present an account of cosmopolitanism that is grounded in human sentiments, building its feasibility into the conception of cosmopolitanism itself, so to speak. Third, one can ground cosmopolitanism in something other than feeling but deny that the ideal is psychologically unlikely or impossible,¹ by offering an account of the likely emergence of the sentiments required for ensuring the practicability of the cosmopolitan ideal.

In this chapter, I examine Kant's view on the relationship between moral cosmopolitanism and feeling, as well as his account of the practicability of the moral cosmopolitan ideal. As a counterpoint, I consider the cosmopolitanism of the early German Romantics, especially Novalis. They form an apt contrast, not only because of their explicit criticism of Kant's cosmopolitanism but also because of their own radically different approach, which is a version of the second response.

Kant has often been read as a defender of the first, heroic view. He has been accused of defending a bloodless version of moral cosmopolitanism. He is seen as relying on "cold" laws and principles, in combination with the

injunction that “ought implies can.” According to the critics, this is unable to inspire human beings of flesh and blood to contribute to its realization.

The early German Romantics, by contrast, recognized that Kant actually defended a version of the third view, but they saw his theory as an utter failure. They took Kant to present a self-interest-based account of the gradual realization of the ideal. This is entirely inadequate for showing the practicability of the ideal, they argued, because the cosmopolitan ideal was supposed to move humans precisely *beyond* their narrow self-interest.

Instead, the Romantics claimed, the only stable basis for an enduring cosmopolitan society is love and spiritual unity. The Romantics are often thought of as nationalist and anti-cosmopolitan thinkers. In the case of the early German Romantics this is clearly a mistake, however, as can be seen especially in Novalis’ “Christianity or Europe: A Fragment” and Friedrich Schlegel’s review of Kant’s *Toward Perpetual Peace*. They defended an explicitly cosmopolitan view. Instead of first developing the cosmopolitan ideal on rational grounds and then looking for the conditions of its realizability in human sentiments, they developed the ideal itself in terms of feeling and of a form of religion that was not grounded in rational principles but in emotion, imagination, and “spirit” (*Geist*). In other words, they developed a version of the second response that I sketched above. Although Novalis is critical of the cosmopolitan theories of his day, he reinvents the cosmopolitan ideal in the same breath, in terms of a universal human community of faith and love. This is nicely illustrated by a passage in his 1798 collection of aphorisms entitled *Faith and Love*:

How would our cosmopolitans be amazed if the time of perpetual peace dawned upon them and they saw the highest and most developed humanity [*gebildetste Menschheit*] in monarchic form? Then the paper paste that now sticks humanity together will have dissolved into dust, and the spirit will chase away all the ghosts that appeared in its place in *letters* and that came out of pens and presses in bits and pieces, and [the spirit] will melt all humans together like a pair of lovers. (GL 2:488, #16/39)

In the next three sections of this chapter, I discuss the early German Romantics’ ideal of cosmopolitanism, focusing especially on Novalis’ thought (sections 2–4). I then move to a discussion of Kant’s position on the question of the realizability of the cosmopolitan ideal. In particular, I ask

what resources can be found in his work for responding to the charge that the cosmopolitan condition is unrealizable because of features of human psychology. I argue that the widespread view, also espoused by the Romantics, that Kant regarded the cosmopolitan ideal as achievable entirely through the mechanism of self-interest, is mistaken. Nor is Kant a representative of the heroic position. This becomes clear as we examine his psychological account of the emergence of feelings that conform (outwardly) with the demands of morality, his view of the development of education, and his account, in the *Religion*, of the emergence of a cosmopolitan moral community (sections 5–7).

2 ROMANTIC COSMOPOLITANISM

The early German Romantics, most notably Friedrich Schlegel (1772–1829) and Novalis (Georg Philipp Friedrich von Hardenberg, 1772–1801), criticize the Enlightenment for failing to appreciate the most essential components of truly human life: love, emotional bonds, beauty, shared faith, and mutual trust. They claim that the Enlightenment emphasis on reason, abstract principles, and rights overlooks these crucial aspects of human existence. They accuse the Enlightenment of having degraded these very ideals to atomistic individualism, rootlessness, self-interestedness, and abstract legalism, and they aim to show the way to an alternative. Their approach makes for a very radical *Zeitkritik*, but this does not mean that they are reactionaries.² In their own way, they endorse many of the ideals central to the Enlightenment, especially the ideals of individuality, freedom, anti-authoritarianism, and equality. But they transform these ideals radically.

This is true with regard to the ideal of cosmopolitanism as well. This is a point that has not been sufficiently appreciated in the literature, probably because of their vocal criticisms of Enlightenment cosmopolitanism. In fact, however, both Friedrich Schlegel and Novalis developed distinctively Romantic versions of the cosmopolitan ideal.

In his 1796 review of Kant's *Toward Perpetual Peace*, the young Friedrich Schlegel evoked a vision of humanity united in a spirit of fraternity without any need for coercive laws.³ He criticized Kant for

including coercion in his conception of the ideal state. On Schlegel's view, whether coercion is necessary depends on the empirical question of whether humans violate the law, and because "[t]he opposite is at least conceivable" this empirical matter should not have an influence on the concept of the ideal state as such (13). A genuinely pure concept of the state should not depend on the assertion that people *will* act against the law, because it is not a conceptual necessity that they will. Coercion and subordination are introduced into the concept of the state only because of the empirical assumption that people violate the law. "Therefore," Schlegel argues, "not *every* state includes the relationship between a superior and a subordinate, but only the state that is empirically determined by that actual fact" (13). The *concept* of the state then, properly speaking, is that of a non-hierarchical, completely egalitarian, fraternal republic.

Schlegel goes on to make the same argument with regard to the relationship between different states. It is possible to conceive of a republic of republics free from relations of power and dependence, that is, a fraternal and non-coercive society of republics characterized by the freedom and equality of all individual members (i.e., member states). This he calls a "world republic," by which he means neither a single republic into which all other states merge by giving up their independence, nor a state of states with coercive powers. Rather, it is a non-hierarchical federation of free, equal, and fraternal republics (13).

Schlegel makes these brief remarks in the context of his book review, and his presentation of the ideal of a world-wide non-coercive republic of republics remained rather sketchy.⁴ It was his philosophical friend Novalis who provided a more fully elaborated Romantic cosmopolitan vision, in a speech delivered in the Jena Romantic circle in 1799.

In this speech, Novalis evoked an ideal centered on emotion, spirituality, and the concrete connectedness of all human beings to one another through "faith and love." This was to replace the Enlightenment focus on rational knowledge, material goods, and moral and legal principles. He used the image of the European medieval period to evoke the idea of a golden age and to elicit a longing for a cosmopolitan spiritual community.

Novalis' use of medieval images and his focus on love and religion was too radical even for his own Romantic friends. They knew that he had been studying medieval history since the spring of 1799 and that he had just read, with great admiration and enthusiasm, the protestant theologian Friedrich

Daniel Ernst Schleiermacher's *Speeches on Religion to the Cultured among its Despisers*, which had appeared earlier in the same year. They could understand his interest in Schleiermacher's identification of religion and feeling,⁵ but they did not know what to make of Novalis' enthusiasm for Roman Catholicism.⁶ The essay remained the subject of dispute, and publication was delayed many times as a result. It was published in its entirety for the first time twenty-five years after Novalis' death, as a result of a unilateral action of the publisher of Novalis' works and against the wishes of the editors, Friedrich Schlegel and Ludwig Tieck.

The text has been interpreted in very divergent ways. It seems to exalt medieval European Christianity, and it has therefore been read as a defense of reactionary feudalism or a conservative (or even proto-Nazi) political creed.⁷ Others have read it as an aesthetic allegory for inner change,⁸ as a theocratic dream,⁹ and as a desperate or angry prayer for a miracle.¹⁰ In the 1960s it was appropriated as a leftist critique of modern technocratic society,¹¹ but it has also been regarded as a proto-Hegelian history of the absolute,¹² and simply as "strange."¹³

Elsewhere I have argued at length that Novalis' meta-philosophical assumptions, as explicated especially in his notes, provide the hermeneutical key to the text.¹⁴ Novalis rejects the customary view of the goal and methods of philosophy. Like other Romantics, he criticizes Enlightenment philosophers for undervaluing the role of the creative imagination. He endorses the Kantian and Fichtean notion of the world-constituting role of the subject, but he combines it with a greatly expanded role for the imagination and a broadened notion of genius. As a result, he conceives of the distinctions between thought and world, between the imagined and the real, between the immanent and the transcendent, between knowing, thinking, and imagining as fluid. He calls genius "the capacity to discuss imagined objects as real ones, and also to treat them as such" (Bl 2:421: #21/12). Analysis and argumentation have at most a propaedeutic role. Philosophy should be poetic and evocative instead of discursive; it should merely send others "on their way" to transcendent truths, which they will find if only they have the desire to do so (HS 3:373–74: #35).

In line with this view, "Christianity or Europe" should not be read as a descriptive or prescriptive account. Instead, the images, the style, and the tone of the work serve to evoke an ideal, to stimulate thought and

imagination on the part of the audience, to “push” them and send them on their way in a certain direction while leaving it up to them what they do with it.

This means that Novalis’ views do not lend themselves to the kind of description and analysis presented in the other chapters of this book. Because he believes that direct, discursive exposition is necessarily inadequate in philosophy, the description of his view is, both methodologically and practically, a tricky matter for a non-Romantic author – strictly speaking, it is impossible. In what follows, I have not tried to make Novalis’ views seem “reasonable” by screening quotes on the basis of their academic acceptability. After all, this would conceal the fact that he explicitly rejected the customary standards of academic philosophy.¹⁵

What should be clear is that the medieval imagery should not be taken as a literal description of the historical past or as a blueprint for the future. Rather, the entire Romantic picture of medieval Europe plays a *symbolic* role and serves to evoke poetically the ideal of a cosmopolitan reunification of humanity. Moreover, this cosmopolitan vision is an integral part of Novalis’ overall poetic-philosophical views. His cosmopolitan ideal is the natural extension and indeed the culmination of his ideal of *Bildung* and his view of the role of the state.

3 NOVALIS ON INDIVIDUAL *BILDUNG* AND WORLD CITIZENSHIP

By *Bildung*, Novalis means the comprehensive personal development of the individual.¹⁶ This development crucially involves the development of felt bonds to others, bonds expressed in terms of love and shared faith. According to Novalis, this individual development is not completed unless one feels connected to all other humans, as part of a cosmopolitan community.

Bildung is not a matter of increasing one’s store of factual knowledge or training one’s cognitive powers; rather, it consists in the self-directed process of developing all of one’s talents and powers into a harmonious whole. This involves educating the imagination, feeling, and the senses, as well as one’s cognitive faculties. Influenced by Johann Christoph Friedrich von Schiller (1759–1805), Novalis conceived of this process of self-

realization in aesthetic terms. He not only attributed an important role to art; he also described the self-developed self as a work of art, the result of the exploration of one's own "inner world."¹⁷

The focus on individual self-realization should not mislead one into reading the ideal of *Bildung* in an atomistic sense. Novalis views self-perfection as requiring both the social context of a community and the conscious recognition, on the part of the individual, that one is a member of this community. The ideal is to establish a harmony not only within oneself but also in one's relations with others. *Complete Bildung*, therefore, requires a harmony with the most comprehensive community of all human beings. One is a "perfected human being" (*vollendeter Mensch*) only when one regards oneself as a member of the cosmopolitan community of all human beings, as a "world citizen in the true sense" (*eigentlicher Weltbürger*) (*Fragmente und Studien* 1799–1800: 3:560, #34).

Novalis distances himself from forms of cosmopolitanism that are grounded in the social contract tradition. He regards it as misguided and dangerous to assume that the *interests* of citizens are served by their joint submission to the laws of a state, and to assume that their common good, so conceived, can provide the glue that holds the state or a state of states together. Against the background of recent French history, Novalis argues that individual self-interest provides a bond that is merely opportunistic and superficial. It cannot form a basis for a harmonious and enduring state, let alone for a world order.

On Novalis' view, a better way to conceive of the ideal political community, both at the state and the global level, is on the model of the family. The family is here seen, in typical Romantic fashion, as an enduring and intimate bond of love and devotion that nurtures the personal development of the individuals within it. Novalis' use of the idealized family as a symbol for political organization does not mean that he views the family as the only or even the most important principle of social organization. The family serves as a model, but that does not mean that the family takes the place of that for which it serves as a model. The state fulfills a necessary and enduring role in the process of *Bildung*:

The need for a state is the most pressing need of a human being. To become and remain a human being, one needs a state ... All culture stems from the relations of a human being to the state. The

more formed [*je gebildeter*] [he is], the more [he is] a *member* of a formed [*gebildeten*] state. (AB 3:313, #394/88)

The “true, perfect state” is a state in which individuals are united in “faith and love.”

In the text with that title, *Faith and Love*, Novalis suggests that an admirable monarch, such as a loving royal couple like Friedrich Wilhelm III and his wife Luise, allows the people as a whole to feel a shared attachment to each other and to their country as a whole. Not a constitutional patriotism engendered by just laws, nor a republican civic patriotism, but a shared and felt love for the monarch as the representative of the *patria*, is the essence of the proper bond between individuals and the state.

As the *Bildung* of the populace progresses, political life will become regulated through shared values and other spiritual and emotional ties rather than through laws. Eventually, this development will do away with the need for laws:

A perfect constitution – the vocation of the *body politic* – of the soul of the state – makes all explicit laws superfluous. If the members [of the body politic] are determined in the right way, the laws are automatically clear. As long as the members are not yet perfect members, laws are necessary. With true culture [*Kultur*]¹⁸ in general the number of laws will go down. Laws *complement imperfect natures* and beings ... (AB 3:284, #250)

Some commentators have argued, on the basis of this passage, that Novalis holds that the state will or should eventually disappear.¹⁹ But the quote in fact claims that the perfect kind of state is a *state* in which citizens act in perfect organic harmony, out of love and devotion for each other and for the commonwealth, without needing coercive laws to motivate them. In other words, Novalis evokes an ideal of the state’s perfection, rather than predicting its demise.

While both the family and the state are necessary for *Bildung*, *complete* development is not reached until individuals regard themselves as members of the community of all human beings. Transcending the levels of both the family and the state, the most comprehensive community is that of humanity (the “world family,” HS 2:372, #32). Allegiance to humanity as a whole does not compete with allegiance to the state: on the contrary, the

state is a necessary means to elevate people to the cosmopolitan perspective. By learning that they are part of a community larger than that of the small circle of people they know personally, individuals become prepared to recognize their membership in the even larger cosmopolitan community. Although the citizens of the ideal state are united by an emotional and spiritual tie to their country (GL 2:486, #8/36), this bond does not create antagonism toward other states. Rather, their patriotism is a first step on the way to a similar bond at the level of the entire species (FS 2:296, #667). Novalis describes the relations between the peoples of the world in similar terms as the relations between the citizens in the ideal state (CE 3:523/77–78). His cosmopolitan ideal includes a “state of states” (*Staat der Staaten*) or a “world state,” the members of which are coordinated through love, loyalty, and spirituality (CE 3:522/77).

4 SPIRITUALITY OR THE WORLD: NOVALIS’ “CHRISTIANITY OR EUROPE”

Novalis’ views on *Bildung*, the family, and the state thus prove to fit seamlessly with his cosmopolitan ideal as expounded in “Christianity or Europe.” In this text, Novalis uses the image of the European medieval period to evoke the idea of a golden era and to elicit a longing for a cosmopolitan spiritual community. The medieval world sketched in this essay is a “romanticized” image and does not correspond to the Middle Ages as described by professional historians. Novalis brazenly eliminates social, political, and religious tensions, and depicts the Middle Ages in such a way that they appear as wholly beautiful and harmonious and radically different from his picture of the Enlightenment.

As far as we know, the title “Christianity or Europe: A Fragment” stems from the editors. And while it is not entirely inappropriate (after all, the image painted by Novalis is indeed a romanticized image of the medieval Roman Catholic world, or Europe), the ideal that the essay evokes is far broader. This ideal is restricted neither to Europe nor to Christianity. The essay paints an ideal of world-wide harmony and shared spirituality that transcends religious divides – divides which Novalis regarded as merely external and inessential to the inner spirituality that really mattered. In other

words, his speech could also have been entitled “Spirituality or the World,” and this would probably have been more appropriate.

The essay is a provocation right from the start. Novalis starts out by calling the Middle Ages “beautiful, splendid [*glänzende*: splendid, shining, radiant] times” (507/61), thereby taking the light metaphor away from the Enlightenment and redirecting it to the so-called “Dark Ages.” He conjures up a picture of the Middle Ages as an era during which Europe was a harmonious religious and political unity, united in one religion and under one political ruler (the Holy Roman Emperor). Yet Novalis’ attitude toward the Middle Ages is not one of nostalgia. This was the childhood of humanity, and the primeval unity had to be disrupted by the unavoidable development of humanity, before a genuine cosmopolitan community would be possible: “But for this wonderful realm humanity was not yet mature, not yet educated (*gebildet*) enough” (509/63).

The rise of individualism and market capitalism in the early modern period disrupts the medieval community’s unity of purpose and leads to social fragmentation. Individual interests become opposed to the common good. People use their mental faculties for hedonistic purposes; they pursue the technological satisfaction of an increasingly complex set of needs. Such greedy human beings have no time for “quiet collection of the mind, the attentive consideration of the inner world” (509/64). Their contempt for religion broadens to disdain for the imagination, feeling, morality, and the love of art and poetry. “Faith and love” are displaced by “knowing and possessing” (510/64). What little is left of religion is not left intact: within the Church, individualism gives rise to Protestantism. This causes a divide within Christianity and causes religion to become locked within state borders. This is the start of a gradual undermining of the “religious cosmopolitan interest” and its peaceful influence (511–12/66).

Novalis sees Europe as having landed in a state of crisis. States are fighting each other, and people are taking sides in the battle of old against new, obedience against freedom, loyalty against individual rights, without seeing that the only real solution to this turmoil lies in a comprehensive spiritual change (522/77). Only through inner spirituality and love, not through outward institutional reform, can unity be re-established (523/77). On Novalis’ view, the current anarchy and destruction form the perfect seedbed for a new religion that will create a new world that is at once a spiritual and a political unity (517/72, 524/79).²⁰ It will lead to the

cosmopolitan unification of humanity as a whole regardless of state borders (524/79). Then, Novalis suggests, all peoples on earth will feel friendship and devotion toward each other as members of one cosmopolitan community (523/77).

It is Novalis' conviction that the "traces of a new world" can already be discerned in Germany (519/73).²¹ Although he sees change as beginning in Europe, he explicitly expands the scope of the ideal to cover the whole world: "The other parts of the world wait for Europe's reconciliation and resurrection to join with it and become fellow citizens of the kingdom of heaven" (524/78–79).

5 FROM NOVALIS TO KANT

A full examination of Novalis' reflections on the nature of philosophy lies beyond the scope of this chapter. Clearly, however, his views on philosophy and argumentation make it hard to compare his conception of cosmopolitanism with those of others in terms of shared standards. However many objections non-Romantics might make to Romantic philosophy in general, and to Novalis' cosmopolitanism in particular, however, neglect of feeling is not one of them. Feelings of love and shared emotional bonds are at the core of Romantic conceptions of world citizenship. Laws and principles are of temporary utility at most; their very existence is a sign that world-wide harmony has not yet been achieved.

If we now return to the objection, mentioned at the beginning of this chapter, that cosmopolitanism is unfeasible, the Romantic view turns out not to be of much help. Novalis shows that it is possible to develop a cosmopolitan ideal that gives pride of place to feelings, but his view is not "realistic" by the standard implied in the objection. By that standard, all humans will certainly never "melt together like a pair of lovers" (and, one might add, lovers do not melt together, either). Novalis would not be bothered by this observation, however. Since he regarded the distinction between thought and reality as fluid, he rejected the very standard of feasibility at issue. He would likely respond by chiding the critic as being "so stiff, so fearful" (AB 3:445 #924) and cheerfully call for a little more creative use of the imagination.

As for Kant's views on the matter, we hardly need to guess what his reaction to Novalis would have been. He emphatically rejects any kind of philosophical *Schwärmerei* that elevates feeling and the imagination above reason and which claims that the former offers access to transcendent truths. In his 1796 essay, "On a Recently Prominent Tone of Superiority in Philosophy," Kant argues against those who, like Johann Georg Schlosser (1739–99), believe they only have to "attend to the oracle within, in order to gain complete possession of all the wisdom to which philosophy aspires" (nevT 8:390). In such cases, philosophy degenerates into decadent laziness that adorns itself with an air of intellectual superiority. On the contrary, Kant claims, philosophy depends on the hard work of argumentation.

But although Kant repudiates philosophical aspirations to "philosophize through feeling" (nevT 8:398), this does not mean that he repudiates feeling as such. He attributes an important role to feeling in providing an account of the feasibility of the cosmopolitan ideal. He does not defend the heroic position – that we must battle, with no hope of victory, to do as we ought. Instead, he defends a version of the third response, claiming that human psychology is not only entirely compatible with cosmopolitanism but even promotes it. Kant's response to the unfeasibility objection, as we shall see, faces it head-on: he denies the charge and provides several reasons for supposing that the cosmopolitan ideal can be approximated in reality.

In order to appreciate Kant's view as a whole, it is important not to restrict his understanding of the cosmopolitan ideal to that of a global *legal* order. To this day, many commentators claim that the final end of history, according to Kant, is a cosmopolitical situation of rightful legal-political institutions, and that this can be brought about by sheer self-interest. But as mentioned already in [Chapter 1](#), Kant held an even more demanding view of the final end of history, namely, the ideal of a cosmopolitan *moral* community. I first turn to the nature of this ideal, before considering Kant's views of its realizability.

6 KANT ON THE IDEAL OF A MORAL WORLD

In the "Idea for a Universal History," Kant quotes a remark in the *Gothaische gelehrte Zeitung* which attributed to him the view "that the final end of humankind is the attainment of the most perfect constitution of the

state.”²² Kant writes that this remark compelled him to clarify his views (IaG 8:15, note). Despite Kant’s efforts, the misunderstanding that he defends a merely political conception of the final end of humankind has proved to be persistent.

Kant does conceive of history as a teleological process, as the remark in the *Gothaische gelehrte Zeitung* asserts, and he does attribute a crucial role to the establishment of a perfectly just constitution. But he does not regard the perfect state as the *telos* of history. The genuine final end of history, on his view, is the complete development of the human predispositions for the use of reason (IaG 8:18, 27). This development involves all the areas of application of the human rational faculties, including not only the political sphere but also the arts and sciences, social life, and morality. The *complete* development of reason requires moral development, and the final end of history is the transformation of society into a “moral whole” (*ein moralisches Ganze*) (IaG 8:21).²³

This development is propelled, Kant claims, by the effects of the “unsociable sociability” in human nature (IaG 8:20). This is the dual inclination of humans to seek the company of others and to behave antagonistically toward them. Kant regards social antagonism as having salutary effects in the long run, however, because it furthers the development of human rational capacities. Driven by rivalry and greed, people develop their self-discipline and their capacity to use their reason. There will come a point at which this development will result in a genuine moral transformation. Kant writes:

[In a social setting we see] the first true steps from crudity toward culture ... here all talents come bit by bit to be developed, taste is formed, and even, through gradual enlightenment, a beginning is made toward the foundation of a manner of thinking which is able, over time, to transform the crude natural predisposition for moral discernment into determinate practical principles and hence transform a *pathologically* compelled agreement to form a society finally into a *moral* whole. (IaG 8:21)

This normative ideal of a “moral whole” as the final end of history, in the “Idea for a Universal History,” is reminiscent of the ideal of the “moral world” discussed in the *Critique of Pure Reason* under the name of the highest good. This is the ideal, Kant explains there, of “the world as it

would be if it were in conformity with all moral laws” (KrV A808/B836). This is the world in which all agents act morally, and in which, as a consequence of their virtuous action, all are happy (KrV A809/B837). In the moral world virtuous agents are “themselves, under the guidance of [moral] principles, the authors both of their own enduring well-being and of that of others” (KrV A809/B837). Kant argues that our action should aim at bringing “the sensible world, as much as possible, into conformity with the idea of a moral world” (KrV A808/B836). In the “Idea for a Universal History,” Kant indicates how the moral world can indeed be approximated in the sensible world. He gives an account of how humans can themselves be the source of their own perfection and of a general happiness (cf. the third proposition, IaG 8:18–20).

The idea of a moral world is a recurring theme throughout the Critical period. In the *Groundwork*, it re-emerges as the “realm of ends,” where the idea is transformed in important ways, most notably because Kant introduces the notion of autonomy. In the *Groundwork*, the idea of the moral world is conceived as a community of joint self-legislation (G 4:434). In the *Critique of Judgment*, Kant takes up the theme of the highest good as a moral world and again discusses it in terms of a world composed of universal virtue and happiness (KdU 5:445, 448, 453). As in the “Idea for a Universal History,” he details the way in which nature is teleologically oriented toward the development of the predispositions for the use of human reason (“culture”). This developmental process is itself subservient to a higher end, namely, the “final end of creation,” which is a moral world (KdU 5:434–36). In the *Religion*, as I discuss below, Kant adds the thesis that it is a duty to join a moral cosmopolitan community for the sake of promoting morality. Throughout the 1790s, Kant remains committed to the assumption that the final end of history is the complete development of human rational predispositions and that this development is not complete until humans use reason to determine their will, that is, until they act morally.²⁴

7 KANT ON THE FEASIBILITY OF THE MORAL COSMOPOLITAN IDEAL

Legal progress and moral development

Although the development of a perfect legal-political system at the state and international levels is not itself the final end of history, it fulfills an important role in progress toward this goal.²⁵ Individuals' unsociable sociability forces them to form a state and subsequently forces those states to create an international federation (see [Chapter 2](#)). Once states exist, and especially as political systems improve, they are conducive to further development. A good state allows its citizens the freedom of the press; it provides room and resources for the development of the arts, sciences, education, and the public debate over morality, religion, and politics; and in doing so it enables enlightenment in all important matters.

Kant specifies the way this is supposed to work in the essay "What Is Enlightenment?", which was published only one month after the "Idea for a Universal History." In particular, he explains the value of a free public sphere. A free public sphere enables the collective expansion of knowledge and increases the chances of eliminating errors (WiA 8:39). This includes the public ridding itself of prejudices and superstition. Thus enlightened thought will lead to greater insight into how one ought to act, and more genuine freedom in acting on the part of individuals (WiA 8:41).

Yet enlightenment is possible only when the just state is not threatened by outside forces. Warfare between states tends to stifle development within states. Money necessary for education is used for weaponry; civil liberties necessary for enlightenment are curtailed in the name of the safety and security of the state. Kant therefore introduces a second requirement for the development of human rational faculties, in addition to that of a perfect civil constitution, namely, the requirement of a "cosmopolitan condition" among states. The cosmopolitan condition provides security for just states, and just states enable enlightenment, which in turn enables the further development of the human capacity to use reason. Hence Kant calls this cosmopolitan condition the "womb in which all the original predispositions of the human species will be developed" (IaG 8:28).

Thus, Kant regards the perfectly just state constitution, together with the just federation of states, as absolutely crucial goals, but these are themselves conducive toward a *further* goal, namely, the complete development of the human predispositions for the use of reason, which is to

culminate in moral agency. I shall not here examine the very notion of moral development in light of Kant's broader theoretical commitments, because I have done that elsewhere and repeating the analysis here would detract from the topic at hand, the relevance of legal progress for the feasibility of the moral cosmopolitan ideal.²⁶

In [Chapter 2](#), I argued at length that Kant's views on the feasibility of a perfect state constitution change in the 1790s, as he elaborated his republican political theory. In the early 1780s, Kant had regarded the formation of a perfect state constitution as unattainable, because the "crooked timber" quality of human nature made this impossible. In the 1790s, by contrast, he started to argue that a perfect constitution *is* possible, namely, in the form of a republic, because this happens to be both normatively demanded and completely in harmony with people's self-interest. Furthermore, given that Kant regarded republics as naturally inclined toward peace, his republicanism could now serve to account for the feasibility of the realization of right both within and among states.

Although Kant's legal and political theory underwent these profound changes, throughout the Critical period he maintained his view that progress at the level of "external freedom" (right) provides a context conducive to moral development. More than ten years after the "Idea for a Universal History," he expressed this view in a particularly pointed passage on the relationship between the Doctrine of Right and the Doctrine of Virtue:

A firmly established peace, combined with the greater interaction among humans, is the idea through which alone is made possible the transition from the duties of right to the duties of virtue. Since when the laws secure freedom externally, the maxims to also govern oneself internally in accordance with laws can liven up [*aufleben*]; and conversely, the latter in turn make it easier through their dispositions for lawful coercion to have an influence, so that peaceable behavior [*friedliches Verhalten*] under public laws and pacific dispositions [*friedfertige Gesinnungen*] (to also end the inner war between principles and inclinations), i.e., legality and morality find in the concept of peace the point of support for the transition from the Doctrine of Right to the Doctrine of Virtue. (R 23:353–54)

In other words, when laws secure freedom externally, inner freedom (morality) will “liven up” and this, in turn, will enhance obedience to the laws. The legal peace is gradually made more and more secure because peaceful behavior will no longer be inspired merely by anxious or aggressive self-interest. Instead, it will increasingly be backed up by peace-promoting dispositions, and in this way, the process obtains a self-reinforcing quality.

Feelings

On the account thus far, moral agency is expected to increase at some point in the developmental process. But without any further details about this process, this may still look more like a blunt stipulation than a plausible account. Moreover, Kant’s appeal to self-interest, often mentioned in this context, will not do to help make plausible that people can indeed move beyond self-interest, even though that is what is at issue here. Kant says quite a bit more, however, about how he expects moral cosmopolitanism to develop. First, even though unsociable sociability cannot *cause* moral behavior of course, it does have effects that push humans in the right direction. Their rivalry, for example, has the effect that they develop all kinds of skills and capacities and self-discipline.

Second, Kant mentions several pre-moral *sociable* feelings that are in *outward agreement* with the cosmopolitan ideal. Kant’s thesis that the principle of self-love is radically opposed to the principle of morality has often been wrongly interpreted as meaning that humans are egoists by nature, striving for their own interests narrowly construed. That this is a misunderstanding is not hard to see. Motivationally speaking, agents who act out of self-love do what they are inclined to do; their principle is to follow their own inclinations. Their action does not have moral worth. But their adoption of this principle does not mean that their actions are necessarily egoistic in the usual sense. Agents who have naturally sympathetic inclinations and desire to help others, for example, will act to *benefit* others if they act on the motive of self-love, and Kant believes human nature includes such tendencies. Unsocial sociability has a social component, after all. Kant writes:

That nature has nevertheless planted the predisposition [to affect] in us was wisdom of nature, in order to handle the reins *provisionally*, until reason has achieved the required strength; that is to say, for the purpose of enlivening [us], nature has added the incentive of pathological (sensible) impulse to the moral incentives for the good, as a temporary surrogate of reason. (ApH 7:253)

In other words, some natural feelings are teleologically oriented toward actions that are also required as a matter of morality, thus providing affective support. If done from inclination, these actions entirely lack moral worth, but the harmony between natural feelings and what reason demands may make it easier for moral motivation to take the lead.

Third, Kant holds that human psychology is such that once one does start to act from duty, one will eventually *learn to love* doing it. In other words, morality provides its own supporting sentiments. In the *Metaphysics of Morals*, Kant claims that acting on the duty of beneficence will lead to the emergence of supporting sentiments and inclinations to the action:

“*Beneficence* is a duty. If someone practices it often and succeeds in realizing his beneficent intention, he eventually reaches the point where he actually loves the person he has benefited.” (MdS 6:402)

This love subsequently makes it easier to do one’s duty:

So the saying “you ought to *love* your neighbor as yourself” does not mean that you ought immediately (first) to love and (afterwards) by means of this love do good. It means rather, *do good* to your fellow human being, and your beneficence will produce love of humans [*Menschenliebe*] in you (as an aptitude of the inclination to beneficence in general)! (MdS 6:402)

Fourth, because human sentiments are adaptive in this way, that is, because they can change to become more congruent with moral demands, Kant even argues that we have an *indirect duty to cultivate* our natural compassionate feelings.²⁷ He writes:

But although it is not in itself a duty to share the sufferings (as well as the joys) of others, it is a duty to have active sympathy [*Theilnehmung*] with their fate; and to this end it is therefore an indirect duty to cultivate the compassionate [*mitleidige*] natural (aesthetic) feelings in us, and to make use of them as so many means to sympathy based on moral principles and the feeling that is appropriate to them. – It is therefore a duty not to avoid the places where the poor who lack the most basic necessities are to be found but rather to seek them out, and not to shun sickrooms or debtors' prisons and so forth in order to avoid the painful sympathetic feeling [*Mitgefühl*] that one may not be able to resist: because this is, after all, one of the impulses that nature has implanted in us, [namely, the impulse] to do that which the representation of duty alone would not accomplish. (MdS 6:457)

Kant's reasoning here is that we have a moral duty to sympathize with others; that we also have a natural capacity to do so; and that duty requires that we expose ourselves to the kind of circumstances that trigger our natural compassionate feelings, in order to provide additional support for our moral disposition. Kant says not just that "we" (presumably, those who are better off) ought not to avoid places of suffering, but that we ought to *seek them out* in order to activate our natural sympathies and make it more likely that we will do the morally right thing (that is, sympathize with others and act beneficently). Thus, the duty to expose oneself to suffering is a reflexive moral duty: it is a duty aimed at the promotion of moral action itself.²⁸

In other words, we should strive to have the plight of suffering fellow humans clearly before our eyes, and we should have an active interest in the suffering of those whose plight escapes our notice if we do not actively strive to learn about it.

There is of course a close link between Kant's views on beneficence and his moral cosmopolitanism. Kant calls beneficence a "universal duty of human beings, for the following reason: because they are to be considered fellow human beings, that is, rational beings with needs, united by nature in one dwelling place so that they can help one another" (MdS 6:453). This is to say that beneficence is owed to all other human beings, indeed to all other finite rational beings that find themselves united into one physical world (the Earth). Kant also states that our natural sympathy toward others

whom we do not know is usually weaker than that toward persons who are near and dear (MdS 6:451–52). Taken together, these statements would seem to suggest – although Kant himself does not draw the inference – that one should strive to familiarize oneself actively with the suffering of others elsewhere in the world and extend one’s beneficence to them if necessary. And it would seem that Kant’s claim that the practice of beneficence, over time, will become easier, should hold in those cases, too.

Although he occasionally equates the two (MdS 6:450), Kant distinguishes between a “friend of human beings” (*Menschenfreund*) and “someone who loves human beings” (a *Menschenliebender*). He argues that the former better exhibits the requisite attitude of the person who practices beneficence. This is because friendship is a relationship of equality, in which the giving and receiving parties show equal respect for one another. “Love,” on the other hand, is compatible with an asymmetrical relationship, and if such a relationship exists, beneficence easily becomes condescending,²⁹ as when benefactors proudly see themselves as protectors and regard the recipients as people who owe gratitude to them (MdS 6:473). This is why, according to Kant, friendship is preferable to love as a model for the relationship between the beneficent and benefited parties.³⁰

All this talk about the natural feelings that lead us to act in ways that accord with moral demands should not let us forget that acting on one’s feelings can never be a substitute for moral action. Kant does not argue that human nature will *produce* the moral cosmopolis – achieving the latter requires *moral* agency and hence nature can never accomplish this. The challenge to which his account is an answer, however, is the assertion that human nature renders the cosmopolitan ideal impossible. Kant denies this and argues that natural human feelings are teleologically oriented toward the cosmopolitan goal. On his view we have a moral duty of practical love toward all humans; and if we act beneficently from duty, over time our feelings will come to match our actions. Moreover, we have some natural pre-moral feelings that are already teleologically oriented in that direction, and we have an indirect duty to stimulate our natural sympathetic tendencies in such a way that we put them in the service of morality. This account differs from Novalis’ in many ways: most obviously because Kant formulates the cosmopolitan ideal in terms of moral principles and uses the account of feeling to answer the objection that it is incompatible with

human nature. For Novalis, by contrast, the ideal itself was formulated in terms of feelings.

Clearly, Kant's claim that philanthropic feelings *will* follow morally beneficent practice is in need of empirical substantiation. But so is the opponent's claim that humans are, in principle, unable to develop sufficient cosmopolitan feelings. From a Kantian perspective, there is no reason to regard the latter claim as having more initial plausibility than the former, and there is no other way of finding out to what extent the ideal may be realized than by pursuing it.

Religion and the universal republic of virtue

In the early 1790s, Kant adds another crucial element to the list of factors that are to promote moral improvement, namely, the establishment of an “ethical commonwealth,” a “universal republic based on laws of virtue,” or “cosmopolitan moral community” (Rel 6:94, 98, 199–200). Of course, the fact that all humans are to live under the same moral law does not rule out substantial differences in the ways in which they lead their lives; as I have argued in [Chapter 4](#), moral universalism is compatible with considerable pluralism. Nevertheless, the moral law is one and the same for all rational beings, and it is to function as the principle of this ethical cosmopolis. It is quite striking that Kant even adopts the terminology of the “universal republic” (see [Chapter 2](#)), even if he explicitly limits it to the moral domain.

In the third section of the *Religion*, Kant elaborates on the importance of establishing a community of virtuous agents. He argues that it is morally required of all individuals to join an “ethical commonwealth” governed by the moral law, that is, a community which aims at moral improvement and at fending off evil (Rel 6:94, 97). Because this community is united by the moral law, it must ultimately encompass the entire human species: “Since the duties of virtue concern the entire human species, the concept of an ethical commonwealth always refers to the ideal of a totality of human beings” (Rel 6:96). A group of humans united in the pursuit of virtue cannot count as an ethical community in the true sense unless it aims to unite “all human beings (indeed, all finite rational beings) in order to establish an absolute ethical whole” (Rel 6:96). Kant adds that the moral and the political ideals differ in this regard, because the latter does not involve a

single all-encompassing political commonwealth but a federation (Rel 6:96, see also [Chapter 2](#)).

What is Kant's justification of this duty? One recent commentator suggests that it is based on the claim that we cannot act morally in the ethical state of nature.³¹ There is no direct textual evidence in support of this interpretation, however, and it would also make Kant's argument run counter to the unconditionality of morality. Instead, the reason Kant himself mentions for the duty to join the ethical commonwealth is that establishing a moral community helps in the struggle against evil. As long as humans are not united in such a moral community, that is, as long as they remain in the "ethical state of nature" they are more likely to tempt one another into evil (Rel 6:96–98). Kant even goes so far as to say that individuals *make* each other evil outside of such an ethical society (Rel 6:94), but this cannot consistently be meant to be literally true. Evil resides entirely in the choice of the individual agent, and one should not diminish individual responsibility by conceiving of evil as being caused by one's social context.³² But the wrong kind of social context provides more *temptations* than the supportive social context of an ethical community with shared moral values and the joint goal of moral agency. An ethical community counteracts such hindrances to morality, thereby in effect promoting morality, and this is why one ought to join it. Therefore, the "reign of the good" should be established not only in the disposition of each person individually, but also by all collectively (Rel 6:94). All humans, indeed all finite rational beings generally, have a duty to establish a universal ethical community (Rel 6:96–98).

Put like this, Kant's argument for the duty of joining an ethical community could be misread as a merely instrumental defense, but the ethical community is not just a means to promote morality: it is also an end in itself. Kant explains why this is so in the preface to the first edition of the *Religion*. Here, he argues that moral agents who acknowledge the validity of the Categorical Imperative and who adopt the moral law as their highest practical principle may ask themselves *which final end is implied* in morality's demands. This question is not meant to have motivational relevance, because it is asked by moral agents, that is, by those who are already motivated by their consciousness of moral obligation (Rel 6:5). Morality itself "needs absolutely ... no end, either in order to recognize

what duty is or to impel its performance” (Rel 6:4). Rather, moral agents want to know what their moral action is directed toward:

Yet an end nevertheless proceeds from morality; for it cannot possibly be a matter of indifference to reason how to answer the question, *What is then to result from this right conduct of ours?* and to what we are to direct our doings or nondoings, even granted this is not fully in our control, at least as something with which to harmonize. (Rel 6:5)

The answer to this question, Kant argues, can be found by asking what kind of world would be created by complete and universal obedience to the moral imperative, for that world is the implicit *telos* of moral agency. This implicit end, he argues, is a moral world. Because the final aim of morality is defined in terms of a cosmopolitan moral community, the moral community is both means and end.

Once moral agents have acquired this broader perspective and see their individual obedience to the moral law as part of an effort to establish a universal moral community, they also recognize that promoting this end is itself a moral duty. This is a duty which they recognize when they reflect on the moral principle and the end entailed in it, and hence a duty that goes beyond the mere principle to obey the Categorical Imperative. Therefore, Kant argues, joining the ethical community is a distinct duty over and above acting on the moral law (Rel 6:94, 97–98). With some interpretive charity, one could read this line of argument already into Kant’s defense of the duty to promote the highest good (KpV 5:113). But this earlier discussion did not explicate this duty in terms of the duty to join a moral community designed to combat evil.

Kant regards the ideal of such a human community as the rational core of the different religious traditions, as expressed, for example, in the Christian notion of an “invisible church” (Rel 6:101). Moreover, he argues that from a moral-philosophical perspective, one can defend rational faith in God, as the ground of the possibility of the highest good, whose existence is postulated. The differences between the existing religious traditions, however, are inessential: Kant here appears to be in agreement with Novalis.³³ This is also where their agreement ends, however, because on Kant’s conception, the different religions share a rational core that is described in terms of the moral law. Kant believed that significant progress

had already been made toward this goal of a moral cosmopolis as a “universal republic based on laws of virtue.” More and more, people recognize that the different religious traditions are merely contingent vehicles for the true moral core, vehicles which can eventually be dispensed with once insight into this rational moral core has fully broken through (Rel 6:115–23).

Education

As I mentioned above, Kant argues that the development of human rational faculties is a *learning process*. The results of this developmental process are transmitted to the subsequent generations not biologically, but mediated through education as well as through social and political institutions. Every individual, and every generation “[starts] again from its ABCs and must again move through the entire distance which had already been covered” (MAM 8:117 n., cf. ApH 7:325–26). It is not literally true that they have to take all the steps taken before, of course, but later individuals do need to start by appropriating the skills and knowledge acquired by previous generations before they are in a position to take a further step of their own.³⁴ Education therefore plays a crucial role in the realization of the cosmopolitan community and the development of individual morality.

Pedagogical theory and practice, too, need to develop over the course of human history, however. This gives the historical learning process a cumulative and self-reinforcing quality. Again, on Kant’s view a breakthrough had occurred in his own time, from which he expected revolutionary effects. He argued that the older, authoritarian methods aimed at producing blind obedience, leading mainly to behavior that is guided by the inclination to avoid punishment and earn rewards. In “On the Common Saying” and his *Lectures on Pedagogy*, Kant claimed that the Enlightenment had produced, for the first time in history, pedagogical methods that encourage children to think for themselves and act morally (GTP 8:288; Ped 9:452).³⁵

Kant develops his own version of such an approach in the Doctrine of Method of the *Critique of Practical Reason*. Teachers cannot *cause* pupils to choose a moral disposition, but they can help create a context that is conducive to their moral agency. They can make pupils more acutely aware of their own moral vocation. Doing so “gives [the pupil’s] mind a power,

unexpected even by himself, to pull himself loose from all sensuous attachments” and act morally (KpV 5:152).

Kant explicitly considers this new pedagogical method as the key to *moral* progress (Ped 9:441, 444; KpV 5:153; GTP 8:288). He contends that his own “method of founding and cultivating genuine moral dispositions” has never been tried before (KpV 5:153). If his method were put into practice, he writes in “On the Common Saying,” “the morality of humans should soon improve” (GTP 8:288). In the Lectures on Pedagogy, Kant sketches his high hopes for the future:

Perhaps education will get better and better and each subsequent generation will move one step closer to the perfection of humanity; for behind education lies the great secret of the perfection of human nature. From now on this can happen. Because now for the first time we are beginning to judge rightly and understand clearly what actually belongs to a good education. It is delightful to imagine that human nature will be developed better and better by means of education, and that one can bring the latter into a form appropriate for humanity. This opens to us the prospect of a future happier human species. (Ped 9:444)³⁶

In other passages, Kant claims that humankind has already progressed through several stages of morality and even that “our era” is morally superior to all previous ones (GTP 8:310; EaD 8:332).

8 HOPE AND PROGRESS

Taken together, Kant’s diagnoses of the progress made in specific areas suggest a rather upbeat assessment. Like Novalis and many other German cosmopolitan authors of his day, Kant saw numerous signs of progress toward the cosmopolitan goal. From the early 1780s until the late 1790s, Kant’s optimism seems to become even more pronounced. In the mid 1780s, he lists the “constant growth in civil liberty” (IaG 8:27) and the “regular process of constitutional improvement in our part of the world” since the Greeks (IaG 8:29), and he calls Frederick the Great the first monarch who “emancipated the human race from tutelage” (WiA 8:40), but he regards moral improvement as a distant goal (IaG 8:26). In the mid

1790s, by contrast, Kant declares this goal, too, to have been at least partially realized. He writes that we may “now,” for the first time in all of human history, expect a continuous approximation toward the moral commonwealth (Rel 6:131–32). Already, he claims, “in our era, in comparison with all previous ones, the human race on the whole has actually progressed considerably even morally towards the better (brief pauses can prove nothing to the contrary)” (GTP 8:310). In other words, Kant does not merely claim that the ideal of a moral cosmopolitan community is feasible, but also that it has already been realized to a significant extent. This complements his similarly positive assessments of political and legal progress already mentioned above and in [Chapter 2](#).

This description of Kant’s positive diagnosis should immediately be followed by a note of caution. Kant is not naïve, and he knows that whatever pattern history may seem to show today can be reversed or altered tomorrow. Theoretical knowledge of progress is impossible, and even if there were an apparent pattern now, it could be upset by future developments. No amount of apparent progress, therefore, would ever add up to a theoretical proof of the reality of progress.³⁷ In fact, several of Kant’s essays on history start with a statement that history does not show any obvious pattern and is full of irrationality and atrocities (cf. IaG 8:17–88; SdF 7:83).

When Kant speaks of a pattern of progress, then, he implies a particular *perspective*. And indeed, he states repeatedly that the way history appears depends on one’s “standpoint” (IaG 8:30; SdF 7:83). As moral agents, we have reason to look for teleological patterns in history because we look for confirmation of the feasibility of the moral ideal.³⁸ Not that the lack of such confirmation would show the moral cosmopolitan ideal to be false. And certainly the assumption of progress is not itself a duty. Short of a demonstration of its a priori impossibility, if it is a duty to strive for a moral and political cosmopolitan condition, we ought to do so even if it looks unrealistic. Kant would have defended the “heroic” view if there had not been any way to affirm its feasibility and if there had not been any sign of progress. But given that there are psychological and other natural mechanisms that can be taken to affirm its feasibility, this provides encouragement for our moral and political efforts.

The “standpoint” from which the moral agent approaches history, then, is to look at it with an eye to the realization of the normative demands, that is,

with a frank confirmation bias. It is to look at history with an eye to indications that signal the possibility of what is morally required. This confirmation bias is not a flaw but a feature of our perspective as moral agents, and it should not be mistaken for a theoretical claim to knowledge of the course of human events, because its epistemic status is much weaker than that. And if indications are found that moral demands are feasible, such as increased recognition of human rights, this should not be mistaken for a rosy view of history or human nature. As Kant writes with regard to the “guarantee” of perpetual peace, the set of indications that point in the direction of the feasibility of perpetual peace provide warrant with a certainty that “is not sufficient to *prophecy* it (theoretically) but still suffices for practical purposes and makes it into a duty to work toward this (not merely chimerical) end” (ZeF 8:368).

Similarly, a present-day Kantian might update Kant’s examples and point to the ever more widespread endorsement of the principle of the equal moral status of all humans, to the establishment of the United Nations, to the abolition of slavery (at least in law), to the improvement of democracy and suffrage in many countries on earth, at least when compared with eighteenth-century practices, and so on.³⁹ This would not be to deny or downplay the horrendous evils of the past two centuries but to encourage the attempt to keep fighting them instead of succumbing to despair. *Especially* for those who are painfully aware of the evil tendencies in human nature, of the ongoing wars, displacement, poverty, torture and other human rights violations, and the moral inertia (or worse) of the affluent and powerful, pointing to progress may serve to guard against despondency by underscoring that progress can be made. So it is not as surprising as it might at first seem that we find some of Kant’s most upbeat-sounding assessments in the very same work in which he argues that humans have an innate propensity toward evil.

¹ See, for a current example, Martha C. Nussbaum, “Cosmopolitan Emotions,” in Martha C. Nussbaum *et al.*, *For Love of Country: Debating the Limits of Patriotism*, ed. Joshua Cohen, revised edition (Boston: Beacon Press, [2002](#)), ix–xiv.

² This is brought out well by Frederick Beiser, in his introduction to *The Early Political Writings of the German Romantics*, ed. and trans. Frederick C. Beiser (Cambridge University Press, [1996](#)).

- 3 Friedrich Schlegel, “Essay on the Concept of Republicanism, occasioned by Kant’s Text *Toward Perpetual Peace*” [Versuch über den Begriff des Republikanismus, veranlaßt durch die Kantische Schrift zum ewigen Frieden]. Orig. *Deutschland* 3 (1796). References are to **Ernst Behler** (ed.), *Kritische Friedrich-Schlegel-Ausgabe*, vol. VII (Munich: Schöningh, 1966).
- 4 From Kantian and Fichtean perspectives, Schlegel’s objection to granting coercive powers to the state and to the world republic misses the mark. In the *Metaphysics of Morals*, perhaps even in response to Schlegel’s comments, Kant points out that what necessitates the coercive powers of the state is precisely “not experience.” He argues that the mere *possibility* that people violate each other’s spheres of freedom is enough to warrant coercion. And on Kant’s own view – a view also explicitly endorsed by Fichte – this possibility is implicit in the very concept of freedom (MdS 6:312, cf. Fichte, GNR 3:92–95).
- 5 On Novalis and Schleiermacher, see Jane Kneller, “Novalis’ View of Sociability in ‘Christianity or Europe’.” in *Das Neue Licht der Frühromantik*, ed. Bärbel Frischmann and Elizabeth Millan-Zaibert (Paderborn: Schöningh, [2008](#)), 111–23.
- 6 See *Aus Schleiermacher’s Leben: In Briefen*, ed. Ludwig Jonas and Wilhelm Dilthey (Berlin: Reimer [1861](#)), vol. III, 133–34); Schelling felt provoked into writing a hedonist and materialist, “Epicurean” parody (Friedrich Wilhelm Joseph Schelling, “Epikurisch Glaubensbekenntniss Heinz Widerporstens,” in Schelling, *Briefe und Dokumente*, vol. II, ed. Horst Fuhrmans (Bonn: Bouvier, [1973](#)), 205–14. Tieck found Novalis’ view weak and “too arbitrary” (Novalis, *Schriften*, fifth edn., I, xxxv, quoted in Richard Samuel’s introduction, 3:500).
- 7 From a critical Marxist perspective, see Georg Lukacs, *Fortschritt und Reaktion in der Deutschen Literatur* (Berlin: Aufbau, [1947](#)), 49–70, esp. 61–63. For an overview of the conservative appropriation of “Christianity or Europe,” see Hermann Kurzke, *Romantik und Konservatismus: Das “politische” Werk Friedrich von Hardenbergs (Novalis) im Horizont seiner Wirkungsgeschichte* (Munich: Wilhelm Fink, [1983](#)).

- [8](#) Gerhard Schulz, comments on “Christianity or Europe,” in Schulz, *Novalis Werke* (Munich: Beck, [1987](#)), 802.
- [9](#) Rudolf Haym, *Die romantische Schule: Ein Beitrag zur Geschichte des deutschen Geistes* (Berlin: Gaertner, [1870](#)), 460–67. A similarly restrictive interpretation of the text as a merely religious vision is found in Hans-Joachim Mähl, *Die Idee des goldenen Zeitalters im Werk des Novalis: Studien zur Wesensbestimmung der frühromantischen Utopie und zu ihren ideengeschichtlichen Voraussetzungen* (Heidelberg: Carl Winter Universitätsverlag, [1965](#)), 373–74.
- [10](#) William Arctander O’Brien, *Novalis: Signs of Revolution* (Durham, NC: Duke University Press, [1995](#)), 240.
- [11](#) Richard Faber, *Novalis: Die Phantasie an die Macht* (Stuttgart: Metzler, [1970](#)).
- [12](#) Theodor Haering, *Novalis als Philosoph* (Stuttgart: Kohlhammer, [1954](#)), 486.
- [13](#) Jack Forstman, *A Romantic Triangle: Schleiermacher and Early German Romanticism* (Missoula: Scholars Press, [1977](#)), 59. It is also indicative of the situation that Manfred Frank, author of the monumental work on German Romanticism, *Unendliche Annäherung: Die Anfänge der philosophischen Frühromantik* (Frankfurt am Main: Suhrkamp, [1997](#)), has not (yet) integrated “Christianity or Europe” into his general account.
- [14](#) See my article, “Romantic Cosmopolitanism: Novalis’ ‘Christianity or Europe’,” *Journal of the History of Philosophy* 46 (2008): 269–84.
- [15](#) An in-depth discussion of this meta-philosophical issue lies beyond the scope of this chapter; for a fuller discussion, see my article, “Romantic Cosmopolitanism.”
- [16](#) There is no English term that captures all the connotations of *Bildung* at once. It has here been rendered as development, formation, or education, depending on the context.
- [17](#) See Frederick C. Beiser, *The Romantic Imperative: The Concept of Early German Romanticism* (Cambridge, MA: Harvard

University Press, [2003](#)), chapter 6, on the concept of *Bildung* in early German Romanticism.

- [18](#) At the end of the eighteenth century, the term “culture” still meant roughly “development.”
- [19](#) It could seem that way because immediately following the quote from AB 3:254–55, #79, Novalis writes: “and then all barriers [*Schrancken*], all determinations will disappear of their own – and everyone is and has everything without harming the others.” Although Novalis does not specify what he means by the “barriers and determinations,” the fact that he calls a situation without them one in which people “are and have everything without harming the others” makes it likely that what he has in mind is not the disappearance of state borders, but rather the disappearance of the barriers that are erected between people by the system of private property (in line with his ideal of a system of communal property occasionally expressed elsewhere, BI 2:417, #13/11). Even if “barriers” were to refer to state borders, this could mean no more than that the borders between states would open up instead of disappear: they would simply no longer be barriers.
- [20](#) Novalis calls this new spirituality “Christian,” but he changes the meaning of that term. He writes that Christianity has three forms. First, it can be conceived as “the creative element of religion,” or “joy in all religion.” Here it seems to serve as an umbrella term for religion and spirituality in general. In a second sense, Novalis writes, Christianity is “mediation in general,” that is, the (Romantic) belief in the capacity of everything immanent to be a link to the transcendent (CE 523/78, cf. also 520/74). The third meaning, Novalis says, is “belief in Christ, his mother, and the saints.” He says it is indifferent and a matter of individual choice which of the three forms of Christianity one embraces, and embracing all three would be fine too (523/78).
- [21](#) Novalis alludes to the Romantics in particular, especially Schleiermacher (CE 521/75).
- [22](#) This remark is quoted in the editor’s introduction, 8:468.

- [23](#) On the necessary role of the idea of “moral development” in Kant’s moral theory, and on the difficulties related to it, see my article, “Kant, History, and the Idea of Moral Development,” *History of Philosophy Quarterly* 16 (1999): 59–80.
- [24](#) The one possible exception here is a comment in the second part of the *Contest of the Faculties* (SdF 7:91), which, however, contradicts other statements in that very same text which do mention moral progress (SdF 7:85–89). For further discussion, see my *Fortschritt und Vernunft: Zur Geschichtsphilosophie Kants*, [chapter. 5](#) (Würzburg: Königshausen und Neumann, 1995).
- [25](#) See also Paul Guyer, “The Possibility of Perpetual Peace,” in *Kant’s Perpetual Peace: New Interpretive Essays*, ed. Luigi Caranti (Rome: Luiss University Press, [2006](#)), 161–81, and Bernd Ludwig, “Condemned to Peace: What Does Nature Guarantee in Kant’s Treatise of Eternal Peace?” in the same volume, 183–95.
- [26](#) See my article, “Kant, History, and the Idea of Moral Development.”
- [27](#) See also Maria Borges, “Physiology and the Controlling of Affects in Kant’s Philosophy,” *Kantian Review* 13 ([2008](#)): 46–66, and Nancy Sherman, “The Place of Emotions in Kantian Morality,” in *Identity, Character and Morality*, ed. Owen Flanagan and Amélie Rorty (Cambridge, MA: MIT Press, [1990](#)), 149–70. Borges and Sherman broaden the scope of the comment much beyond what Kant himself indicated, but this is not unwarranted, as it fits with Kant’s general idea as expressed in the passages quoted.
- [28](#) Another important passage in which Kant expresses this idea, adding the thought that this is a specifically *human* duty, is the following: “*Sympathetic joy* and *sympathetic sadness* (*sympathia moralis*) are sensible feelings of pleasure or displeasure (which should therefore be called ‘aesthetic’) at another’s state of joy or pain (shared feeling, sympathetic sentiment), and nature has already implanted in human beings the receptivity to those feelings. But to use this as a means to promote active and rational benevolence is another particular, though only conditional, duty, under the name of ‘*humanity*’ (*humanitas*): because here the

human being is considered not merely as rational being but also as an animal endowed with reason” (MdS 6:456).

- [29](#) See also Kant’s comment, mentioned in [Chapter 5](#), that the wealth of the benefactors is for the most part the result of injustice, an insight that should have a humbling effect on those who practice charity.
- [30](#) See also the use of the term “friend of human beings” in Wieland’s description of Democritus as a cosmopolitan, [Chapter 1](#) above.
- [31](#) Kyla Ebels-Duggan, “Moral Community: Escaping the Ethical State of Nature,” *Philosophers’ Imprint* 9:8 ([2009](#)), 1–19.
- [32](#) For Kant’s views on radical evil, see also Paul Formosa, “Kant on the Radical Evil of Human Nature,” *Philosophical Forum* 38 ([2007](#)): 221–45 and Sharon Anderson-Gold, *Unnecessary Evil: History and Moral Progress in the Philosophy of Immanuel Kant* (Albany: SUNY Press, [2001](#)).
- [33](#) See above, note 20.
- [34](#) Thus, ontogenesis recapitulates phylogenesis, and both processes have the same structure. On ontogeny, see, e.g., Ped 9:449–50, 455–56, 486–99; on phylogeny, see, e.g., IaG 8:26; ApH 7:322–30; Ped 9:451.
- [35](#) For a while, Kant regarded Johann Bernhard Basedow (1724–90) as the figure whose new school system warranted great expectations. Two of the very few texts Kant published during the “silent decade” of the 1770s were advertisements for Basedow’s institute, the “Philanthropin.” Basedow’s enterprise failed, but Kant did not give up his confidence in what he saw as its main pedagogical insights.
- [36](#) Given the many problems connected with the Rink edition of the *Lectures on Pedagogy*, it is not clear whether these words can indeed be attributed verbatim to Kant. In the case at hand, however, the passage is very close to a number of statements from Kant’s published works from the 1780s and 1790s, and there are no indications that Kant changed his optimism regarding the new pedagogical methods.

- [37](#) See also Lea Ypi, “*Natura Daedala Rerum?* On the Justification of Historical Progress in Kant’s *Guarantee of Perpetual Peace*,” *Kantian Review* 14 ([2010](#)): 118–48.
- [38](#) On the differences between the theoretical and practical approaches to history, see my book, *Fortschritt und Vernunft*.
- [39](#) See Allen Wood, “Kant’s Project for Perpetual Peace,” in *Proceedings of the Eighth Kant Congress*, ed. Hoke Robinson, vol. I.I. (Milwaukee: Marquette University Press, [1995](#)), 3–18, here 16.

Chapter 7 Kant's cosmopolitanism and current philosophical debates

1 INTRODUCTION

In this final chapter, I address more explicitly the significance of Kant's cosmopolitanism, as reconstructed in the preceding chapters, for current philosophical discussions. Kant is widely recognized as a key figure, whether in discussions of moral cosmopolitanism or in discussions regarding global justice or international political theory. Leading philosophers turn to Kant, whether they propose to "follow Kant's lead" (John Rawls) or develop their own argument by contrasting it with Kant's position. In the preceding chapters, however, I have argued that the interpretation of Kant's position needs serious revision. In this chapter, I consider in more detail how his role in these debates should be recast in light of these results.

Three issues of current debate stand out here. First, Kant's defense of patriotism as a duty, which is ignored in the literature, offers a compelling response to the persistent objection that Kantian moral theory is unable to give an account of the special obligations that citizens have toward their own states. Kant delivers just such an account. Moreover, as I argue below, moral cosmopolitanism indeed *requires* an account of the role and scope of special obligations – paradoxical though this may sound.

Second, Kant's position on the ideal of the international federation, in *Toward Perpetual Peace* and the *Metaphysics of Morals*, is quite different from the view attributed to him by Rawls, Habermas, and others. Kant plays a crucial role in the structure of their arguments, however. Therefore, I address the question of how the Kant interpretation I propose bears on their theory of international relations.¹

Finally, in the current philosophical debate on global justice, both Rawls and many of his "cosmopolitan" critics stand in the Kantian tradition. Where Kant's own position should be situated in relation to this debate is

not immediately clear, however, and I pursue this question in the final section.

In each of these three cases, I shall be concerned with Kant's views of the mid 1790s. In several of the preceding chapters, however, we saw that these differ significantly from the views that he defended earlier. I first briefly recapitulate the development of Kant's cosmopolitan theory (section 2), not only to emphasize the fact that he changed his mind on many crucial issues, but also because specific features of his earlier views pose challenges for his current readers. In particular, I discuss the implications of the fact that Kant defended a racial hierarchy until the early 1790s and that he never gave up his commitment to a hierarchy of the sexes (section 3). In sections 4 to 6, I then turn to Kant's later views and their role in the three current debates mentioned above. Before concluding, I summarize in section 7 the problems one encounters when one attempts to define cosmopolitanism.

2 KANT'S CHANGING COSMOPOLITANISM: A BRIEF SUMMARY

One of the most famous quotes from Kant's work is his assertion, in the "Idea for a Universal History," that the "crooked timber" of which humanity is made does not allow for the creation of something perfectly straight (IaG 8:23), meaning in this case that it thwarts the creation of a perfect state constitution. Humans always want to abuse their freedom, which makes it necessary that someone rules over them in accordance with laws. Yet the rulers themselves are human too, and therefore a completely just state constitution is impossible.

Hardly anyone who cites the "crooked timber" phrase observes that Kant later abandoned the claim he articulated with it. Kant did not become more sanguine in his characterization of human nature – indeed, he repeated the characterization of humanity as crooked timber, adding that humans have an innate propensity toward evil (Rel 6:100) – but he radically revised his assessment of its implications for the prospects of a just state. In the idea of the republic, Kant found a solution to the problem. If only the pieces are organized in the right way, one can build something straight. In the republic, the selfish inclinations of people cancel each other out, he writes

in *Toward Perpetual Peace*, so that “the result for reason turns out as if these [selfish inclinations] did not exist.” The problem of establishing a republican constitution can be solved even by and for a “people of devils” (ZeF 8:366) ([Chapters 1](#) and [2](#)).

This is just one prominent example of a view Kant changed. In the preceding chapters I have argued that Kant’s cosmopolitan theory underwent many fundamental changes. In the mid 1790s, Kant changes his view concerning the process of establishing the cosmopolitan condition, moving from the initial ideal of an international federation with coercive powers, formed by rulers, to the ideal of a league of states that subsequently transforms itself into a stronger federation of republics, that is, a federative “world republic” with coercive powers. He abandons the claim that establishing a good state constitution would require “good will” and that a global legal condition would be brought about by rulers in response to the hardships of war. Instead, he now argues that human beings’ naturally selfish inclinations suffice to lead them to establish a good (republican) state and a league of states. Once their internal development and enlightenment have progressed far enough, republican peoples will join a world federation voluntarily ([Chapter 2](#)). Furthermore, in the mid 1790s, Kant dropped his earlier defense of a racial hierarchy, as well as the associated views on slavery and the role of Europe in the world. From *Toward Perpetual Peace* on, he attributes an equal moral and juridical status to humans of all races under cosmopolitan right, and he recasts the role of race in the teleological system of nature. In the *Anthropology*, he denies that race has any “pragmatic” importance ([Chapters 3](#) and [4](#)). He came to a positive assessment of the role of international trade in the gradual progress toward peace and also elaborated the background conditions required for economic justice ([Chapter 5](#)). In his moral theory, he gradually developed the notion of the moral world mentioned in the *Critique of Pure Reason* – first by adding the idea of autonomy and developing this into the *Groundwork*’s notion of a realm of ends, and then by introducing the claim that we have a duty to join a cosmopolitan “ethical commonwealth” for the purpose of combating evil, in the *Religion* ([Chapter 6](#)).

Although Kant changed his mind on all these issues, some significant elements of his cosmopolitan theory remained unchanged. Throughout the 1780s and 1790s, Kant remains committed to the view that legal institutions (at the national and international levels) play a crucial role in the

development of cosmopolitan moral attitudes. Throughout the Critical period, moreover, Kant regards the establishment of both a political and a moral cosmopolitan condition as the final end of history. This is a comprehensive community of moral agents whose external relations are governed by coercive laws that are in accordance with the requirements of right. These general ideas remain constant, but the changes he made amount to fundamental revisions of both the contents of the cosmopolitan ideal and the process of its approximate realization.

If my thesis regarding this development is correct, this means that there are clear dangers connected with the tendency, in much of the Kant (and Kantian) literature on these topics, to take the Critical period as a unity. Commentators tend to pool the texts from the 1780s and 1790s and quote from passages early and late to characterize “Kant’s view.” Authors are certainly aware of the fact that Kant kept charting new philosophical ground throughout the Critical period, but they seem less conscious of the fact that he gave up old positions in the process. When one passage seems to contradict another, more often than not the debate is over the question *whether Kant is consistent*, rather than over the question of *whether Kant changed his mind*.

As a general hermeneutical principle, that first approach is certainly the right starting assumption. We should not rush to explain every seeming inconsistency as a change of view. Doing so would be a form of interpretive laziness that could make Kant look like a compulsive ditherer. More importantly, it would obscure the more complex structures in his philosophical theory that show some inconsistencies to be merely apparent. For example, philosophical analysis can show that there is no inconsistency in his endorsement of both cosmopolitanism and patriotism ([Chapter 1](#)).

Showing that Kant changed his mind requires not just clear and substantial textual evidence that there is indeed a *difference* between earlier and later views. It also requires a broader analysis that shows that the earlier and later statements are not different aspects of one stable theory or a simple contradiction, but that they do indeed represent different *stages* in the development of Kant’s views. In the absence of autobiographical statements on Kant’s part (such as the famous pre-Critical remark that Rousseau put him straight), this has to be done on the basis of the details of the views involved. What is particularly helpful for this purpose is the

identification of lines of argument in the later texts that show why Kant might have become dissatisfied with his earlier views.

In the previous chapters, I have shown that this can be done for core aspects of Kant's cosmopolitanism. The fact that there is a pattern to the changes, and that they all took place around the time when Kant worked out his republican legal and political theory, provides further support for the thesis that Kant changed his mind on a broad range of interrelated issues. Once the case has been made that Kant changed his views, the hermeneutical principle to focus on questions of consistency needs to be applied in a way that takes into account the fact that Kant's views changed over time.

3 “ALLE MENSCHEN WERDEN BRÜDER”: COSMOPOLITANISM, RACISM, AND SEXISM

Kant's hierarchical account of the races (until the mid 1790s) and his endorsement of the superiority of men over women (throughout his life) have an important implication for how we read his texts. If my thesis concerning Kant's philosophical development is correct, his use of gender-neutral and race-neutral language does not simply imply that women and non-whites are always included. In particular, when Kant sketches the historical development toward a cosmopolitan condition, we should not assume that non-whites are included in the same way as whites, or that women are included in the same way as men. Sometimes they are – but often they clearly are not. As a matter of hermeneutical principle, we should regard it as an *open question* whether women and non-whites are included, a question that can be answered only through examination of the relevant texts – including but not limited to texts that explicitly thematize race or gender – and their historical context. The use of the term “*Mensch*” (human being) does not by itself decide the issue.

Some readers may object that it is an overreaction to speak of a general “hermeneutical principle,” and they may assert that we are here dealing with the mere personal biases or idiosyncrasies of an individual author. In reply, I would like to point out that sexism was so deeply entrenched that the exclusion of women from the gender-neutral “man” could even be invoked as a legal principle by supreme courts. When the Dutch

constitution of 1848 and the franchise law of 1850 were drawn up, no explicit prohibitory clause was included regarding women's voting. In 1883, Aletta Jacobs, a later leader of the Dutch women's suffrage movement, became aware of the fact that gender-neutral terms were used in the legal texts. She was a medical doctor who paid enough taxes to qualify for voting rights, but she was not granted the right to vote. She appealed all the way to the High Court, but there, too, her claim was dismissed. The High Court ruled that she could not be considered to possess full civil rights and rights to full citizenship, because the terms "Netherlander" and "subject" here had to be understood as referring to males only, "because were this not the case ... it would undoubtedly have been stated clearly and unequivocally."² Richard Rorty mentions a similar Supreme Court case in Canada from the 1920s.³ The principle invoked by these supreme courts is the exact opposite of the assumption that a term such as "human" automatically includes all men and women anywhere on earth, and current readers would do well to keep this in mind when reading eighteenth-century texts. Of course "human beings" (Menschen) is often used in a way that includes women as well as men in contexts different from citizenship law or in the texts of more egalitarian authors. This is why we should not use the principle invoked by these supreme courts as a general hermeneutical rule but assess whether women are included or excluded in particular cases on the basis of the available evidence. The same line of argument should be used with regard to unstated racist assumptions in the use of the term "humankind." Often, the implicit exclusion of non-whites in the statements of eighteenth-century European authors can be made explicit on the basis of broader textual evidence.

Few commentators show sufficient awareness of the problematic status of gender-neutral and race-neutral language in the history of philosophy. In current discussions, most authors regard Kant's racism and sexism (if they take account of it) as a blemish that can be easily excised without further damage to the structure of the theory. But again, it should be regarded as an open question whether this is so in any particular case. Perhaps racism and sexism have had deeper effects on the structure of the philosophical theory. Only by actually investigating their role in the larger whole of Kant's practical philosophy can we assess their philosophical importance (or lack thereof) and determine what (if anything) is needed to eradicate their effects. Often we will need to do much more than simply ignoring explicitly

racist or sexist statements. Even if racism and sexism are not apparent in the core principles (such as the Categorical Imperative or the Principle of Right), this does not mean that they are without effects on his practical philosophy as a whole. They may have influenced the intermediate principles that together make up Kant's practical philosophy, or they may express themselves in glaring omissions such as his failure during the 1780s to criticize non-white slavery. Kant himself provides a good illustration of how changes in the conception of race may prompt changes at the level of philosophical principles. When he dropped his idea of racial hierarchy, he introduced the concept of cosmopolitan right, explicitly granting full juridical status to humans of all races.

Although I am making this point in connection with Kant's work, it has a general application. This is why I have paid special attention in the preceding chapters to indications that the authors discussed *did* include humans from all regions on earth in their cosmopolitan ideal. Most of the eighteenth-century authors discussed in this book did not include women's equality in their cosmopolitan ideal, however. They persistently refer – as does Schiller's "Ode to Joy," made famous by Beethoven's Ninth Symphony – to a world in which all humans would become "brothers." (Schiller, in his ode, invites all men who have acquired "lovely wives" to join him and express their own joy.) Although most of the German cosmopolitan authors relegated women to a form of second-class world citizenship, many were nevertheless on the progressive side of the issue in their day. Schiller may have addressed his "Ode to Joy" to men, but he addressed his famous history of the Thirty Year War to women – he wrote it for the *Historical Calendar for Ladies* (*Historische Calender für Damen*). Wieland, in his preface to the 1785 *General Library for Ladies* (*Allgemeine Damenbibliothek*), stressed the intellectual equality of women and men and emphasized that the enlightenment of women ought to keep pace with that of men (VAD 23:75). But there were others, like Kant, with more inegalitarian views: until the very end of his writing life Kant insisted that women should be denied full and active citizenship status because of their "natural" inferiority and the "mental deficiencies in their cognitive power" (cf. GTP 8:295; MdS 6:279, 6:314; ApH 7:204ff.). In other words, despite Kant's gender-neutral description of the world citizenship of all human beings (*Menschen*), he does not envision women as being on a par with men.⁴

Turning now to the significance of Kant's cosmopolitanism for current philosophical debates, I shall hereafter be focusing on his mid-1790s view.

4 THE COMPATIBILITY OF COSMOPOLITANISM AND PATRIOTISM

In [Chapter 1](#) I argued that Kant's cosmopolitanism comes with the defense of a specific but genuine kind of patriotism. Part of the importance of this result lies in the fact that it remains underappreciated in both the Kantian literature and the wider debate in political philosophy. Kant and Kantians still encounter the objection that they merely show that one should promote justice in general, anywhere, and that they are unable to account for a non-contingent special relationship between citizens and their own state. Against this view, I argued that Kant's texts provide just such an account, namely, an account grounded in the conditions of the possibility of the republic as an institution of justice.

The philosophical import of this account goes deeper than this, however, because a complete account of moral cosmopolitanism actually *requires* a determination of a person's special obligations toward his or her own country. It may sound odd to say that a full defense of cosmopolitanism requires a discussion of the role and status of special obligations, especially toward one's own state. And current cosmopolitan moral theorists often do not address the issue explicitly. Almost all of the eighteenth-century cosmopolitan authors discussed in this book, however, defended a version of patriotism and addressed the question of its compatibility with cosmopolitanism, and they did so for good reasons.

To show why, let me sketch a line of argument sometimes found in contemporary discussions of cosmopolitanism. Some authors who defend moral cosmopolitanism start by establishing or asserting the equal moral status of all human beings; they then argue that there are many people elsewhere in the world who are in desperate need and who require our assistance, or who suffer from grave injustice that we either contribute to or are in a position to mitigate or eliminate; this is then presented to amount to a case for cosmopolitanism. The moral egalitarian point of departure is supposed to have the cosmopolitan implication that we should step up our moral efforts on behalf of distant strangers.

Such arguments remain radically incomplete, however, if they lack an account of special obligations. This is because one can in principle endorse the egalitarian point of departure, the duty to help unknown others in need, and the factual claim that there are people in dire need elsewhere in the world, while nevertheless claiming that we also have other, *more weighty* obligations that we ought to fulfill, namely, obligations to those with whom we stand in special relationships. If these latter obligations indeed have more weight, even the strongest philosophical argument for the equal moral status of all human beings would still be compatible with the very *uncosmopolitan* position that special obligations trump obligations to strangers as a matter of principle.

Another way to put this is to point out that, in the discussion between cosmopolitans and non-cosmopolitans, the real question at issue is not usually whether distant strangers are non-agents, non-persons, non-equals, or not deserving of our concern. Surely this was a serious question when explicit racism was still common, as illustrated by Kant's own work before the mid 1790s. In the current philosophical debate, however, the moral personhood and equal moral status of distant strangers is not usually a point of contention. The point of dispute is, rather, the relationship between universal, agent-neutral moral obligations, on the one hand, and special obligations, on the other. For this reason, those committed to moral cosmopolitanism need to specify exactly how they conceive of special obligations, and particularly whether special concern for one's own state or one's fellow citizens is forbidden, permitted, or required.

The unpopularity of patriotism among current cosmopolitans is understandable, given the way in which defenders of patriotism have often equated patriotism with nationalism and pitted themselves *against* cosmopolitanism. But the eighteenth-century cosmopolitans show that it is not necessary to conceive of it in this way. As I argued in [Chapter 1](#), cosmopolitanism can integrate patriotism quite well – provided one understands patriotism in the right way. To our twenty-first-century ears, Kant's claim that cosmopolitans ought to be patriotic may sound like a plea to square the circle. But in the context of eighteenth-century pre-nationalist conceptions of patriotism, it made perfect sense. Once one recognizes that the current assimilation of patriotism to nationalism is historically contingent, and once one recognizes that patriotism can also be tied to a particular *political* community rather than a nation in the nationalist sense

of the term, it becomes clear that if this political community is governed by cosmopolitan principles, patriotism and cosmopolitanism are compatible. This is what Kant's republican patriotic cosmopolitanism and Wieland's constitutional patriotism illustrate.

It is often argued that cosmopolitanism leaves no room for any special concern for one's own state unless there is an additional and contingent factor that justifies such special concern. This extra factor may be, for example, the contingent circumstance that my state has benefited me in a special way so I owe a debt of gratitude, or that my own state happens to be in particular need or that I can be most effective there. On this view, the relationship between a citizen and his or her state does not *in itself* provide a reason to have any special concern for it. This argument is sometimes presented as an objection against cosmopolitanism, for example from a nationalist point of view, but it need not be. Others have argued, from a cosmopolitan perspective, that absent these additional considerations, special concern for one's own state would constitute a form of unjustified preferential treatment. As one author puts this point of view, "patriotism is as bad as racism."⁵

Several authors have argued that special loyalty toward one's own state can in fact be made compatible with cosmopolitanism.⁶ Their arguments are based on grounds such as the importance of existing attachments of citizens to their own states; or on the idea that if the liberal or democratic state is normatively justified, one's own democratic or liberal state, too, would seem to be a cause worth furthering; or on the idea that one is often best placed to promote justice within one's own state.⁷ Some authors aim to show merely that cosmopolitanism has room for special relationships. Gillian Brock, drawing on work by Kok-Chor Tan, writes that cosmopolitanism can "accommodate" special relationships "once people have discharged" their cosmopolitan obligations and they are allowed to "spend discretionary resources and time on particular communities."⁸ Other authors aim to show more, namely, that a cosmopolitan account has room for special obligations of citizens toward their own states. Their approaches can indeed show that citizens have general political obligations toward their states, and also that citizens may often have obligations toward their own states that they do not have toward other states. But these arguments do not show that citizens are always *necessarily* bound to their own particular liberal or democratic states in a special way. This is because there is always

an element of contingency in their accounts: my special loyalty depends on whether I do in fact feel attached to my own country, or on whether I am in fact “best placed” to promote justice in my own country. And while my own liberal or democratic state may indeed be a cause worth furthering, the same still holds for other such states. Thus, such accounts turn out either to appeal to an extra factor or to be unable to account for the special status of the citizen’s own state.

Kant’s defense of patriotism can provide a unique contribution to this debate over the justification of a citizen’s special obligations toward his or her own state. It provides a distinctive and more effective answer to the recurrent objection that Kantians can give an account of duties to just states in general but no account of my duty to my state in particular. It does so by grounding the special relation between citizens and their very own republican state in a conceptual argument about the nature of a republic as a system of self-legislation. On the basis of the cosmopolitan principles of freedom and equality of all humans, Kant argues that states should be republics; and given the nature of a republic as a system of democratic *self*-legislation, citizens should have some special regard for their own state, as a matter of (cosmopolitan) principle. They have reason to act on behalf of its preservation and its proper functioning as a republic, that is, as a political system of self-legislation that is meant to secure freedom and equality. The process of joint self-legislation requires citizens to play a special role within their own democratic state, a role which they cannot play outside their own state, and a role which cannot be played (at least not fully) by non-citizens in their own state. This form of Kantian civic patriotism requires no extra factor and yet it stresses the unique duty of citizens toward their own state.

On Kant’s view, then, states are not impediments to cosmopolitan justice. Quite the opposite: republican states are necessary elements of a cosmopolitan condition. Of course, real existing states display imperfections that often hinder rather than help the cause of justice. But Kant’s argument here concerns the normative ideal and points to the need for citizens to have some special concern for their own state, if this ideal is to be more closely approximated.

The cosmopolitan principles on which Kant’s argument for patriotism is founded also pose *limits* to the citizens’ patriotic activities, however. They do not provide a blanket justification for directing one’s moral and political efforts entirely or even primarily toward one’s own state and one’s

compatriots while disregarding the needs of others. This is not only because one has many other imperfect duties as well, but also because the entire argument for Kantian civic patriotism is guided by the fundamental cosmopolitan principle of the freedom and equality of all humans (see [Chapter 1](#)).

5 “FOLLOWING KANT’S LEAD” IN CURRENT INTERNATIONAL POLITICAL PHILOSOPHY

I now turn to the question of the significance of Kant’s theory for debates about whether the current system of states should be replaced with a different set of institutions at the global level. In [Chapter 2](#), I argued against the majority view of Kant’s theory of international relations – that Kant defended merely a loose voluntary league without coercive powers and rejected the ideal of a federative state of states as dangerous, unrealistic, and conceptually incoherent. I argued that Kant does reject a specific type of world government, namely, when this is understood to mean a single hegemonic world state (the “universal monarchy” and Cloots’ universal republic). I also argued that the rejection of a universal monarchy should not be equated with the rejection of a world republic in Kant’s sense of a strong federation of republics. And indeed, Kant’s ultimate ideal goes well beyond that of a loose and voluntary league and consists in an international federation with coercive powers.

The majority view of Kant’s theory has informed much of contemporary political philosophy.⁹ For example, however much John Rawls and Jürgen Habermas may disagree over whether Kant is right to defend a voluntary association of states, their dispute is premised on the interpretation of Kant’s position as a defense of a loose league. Their relation to Kant appears radically different, however, in light of the interpretation proposed in [Chapter 2](#). Rawls takes Kant to be his main ally but Kant is actually one of his opponents; Habermas sees Kant as one of his opponents but Kant is actually a major ally.

In *The Law of Peoples*, Rawls’ own argument for rejecting any kind of world government is parasitic on what he takes to be Kant’s position. Instead of constructing an argument of his own against world government, Rawls repeatedly claims to “follow Kant’s lead,”¹⁰ appealing to Kant’s

purported reasons against any type of world government. Rawls' appeal to Kant serves as a theoretical short-cut, relieving him of the task of discussing the desirability of a world federation of states.

Rawls' ideal theory "makes room for various forms of cooperative associations and federations among peoples" (36), but peoples are to remain "free and independent" (37). The realist utopia that he outlines includes a confederation of independent peoples, and when he mentions the possibility and permissibility of states joining together to form federations, he speaks of such federations in the plural (e.g., 70). A world federation of states with coercive powers is not part of the ideal.

However, the reasons that Rawls borrows from Kant to reject any type of world government are actually, for Kant, only reasons to reject one particular type of world government, namely, a universal monarchy that would swallow other states. The rejection of universal monarchy does not equal the rejection of every kind of world government. If my analysis in [Chapter 2](#) is correct, Rawls' argument is based on a misrepresentation of Kant's argument, because Kant in fact endorsed rather than rejected the ideal of an international federation with coercive powers. If so, then Rawls actually *lacks* an argument for the rejection of a world republic of the sort that Kant holds up as ideal. Perhaps a Rawlsian argument for rejecting the Kantian ideal can be developed, but at the very least there is a need for much more discussion than Rawls provides.

This gap in Rawls' argument is connected with several other important theoretical decisions on Rawls' part that mark a much larger distance from Kant than he is willing to acknowledge. First, what is missing in his *Law of Peoples* is the *ideal* of a lawful and enforceable global arbitration of conflicts. Rawls believes that the lack of enforcement of the law of peoples is not a problem, because in the realist utopia as he envisions it the members of the confederation will not have any reasons to wage war against each other (e.g., 9, 19). As support for this thesis, he refers to the "democratic peace thesis," that is, the thesis that democracies do not wage war against each other (44–54). Rawls takes this to imply that a world of liberal democracies would automatically be a peaceful world. As we saw in [Chapter 2](#), however, Kant's ideal of perpetual legal peace includes not merely the absence of active warfare but also a stable legal order which allows disputes to be settled in accordance with laws. Even well-ordered liberal peoples may find themselves in disagreement on important matters

concerning their interaction, and hence even well-ordered liberal peoples are in need of an institution that can provide a lawful and enforceable settlement of their disputes. A loose “league of republics” is insufficient for this purpose – at least if one wants to “follow Kant’s lead.”

Incidentally, if Rawls were to grant that binding arbitration is one of the responsibilities of the confederation, this would lead to a dilemma. Binding and enforceable arbitration significantly diminishes the independence of the constituent states and turns the confederation into a stronger type of federation after all. If, on the other hand, the confederation does not arbitrate in an enforceable way, there is no real mechanism to settle disputes among well-ordered peoples.

Second, the role that the “democratic peace thesis” plays in the *structure* of Rawls’ argument is fundamentally different from the role played by Kant’s original claim that republics naturally tend toward peace. Rawls’ faith in the democratic peace thesis underwrites his view that peace can realistically be brought about without a federation with coercive powers. Because of his conviction that liberal democratic peoples do not start aggressive wars against each other, he regards it as sufficient that all states become liberal democracies. He does not regard any further global political structure with coercive powers as necessary for achieving peace.

For Kant, by contrast, whose work originally inspired the democratic peace thesis (although he defends the broader claim that republics are disinclined to start wars against *any* state), the thesis plays a very different role. Kant first develops the normative ideal of a strong international federation on the basis of the general principles of his theory of right; the thesis that republics are disinclined to start a war plays a role only in the subsequent account of how this normative ideal can be approximated. For Rawls, the role of the democratic peace thesis takes on importance at the level of the development of the ideal itself, namely, as a reason to regard a loose and voluntary confederation as sufficient. For Kant, the normative ideal is developed on independent grounds, and the peaceful nature of republics is relevant only in the context of subsequent questions of its realization. These are important differences in the structures of Kant’s and Rawls’ theories, differences that become particularly clear on the interpretation of Kant’s theory proposed in [Chapter 2](#).

As I also mentioned in [Chapter 2](#), there are authors who criticize Kant’s theory of international relations as being inconsistent. Assuming that Kant

defended merely a league of states, commentators have claimed that Kant should have argued in favor of a world state, and some have even contended that this world state should be brought about, if necessary, by a small group of powerful states.¹¹ On my account, however, Kant would strongly disagree with the latter position. This is because of the emphasis he places on the ideal of self-legislation of peoples and, therefore, on the proper process of the emergence of a stronger international federation. Because states are ideally conceived as self-legislating peoples, any form of federation can be the result only of a democratic decision on the part of the peoples involved.

In addition to the interpretation of Kant as endorsing merely a league of states and the view that Kant should have defended a world state to be established by force, if necessary, there is room for a third position on Kant's international political theory. This is the view that Kant should have advocated a stronger international federation to be brought about through democratic means. This is the position held by Jürgen Habermas, and it is to say that Kant should have defended the position which he in fact defended, if my reading is correct. Habermas develops his own view through detailed disagreements with Kant. He does so on the assumption that Kant's ideal was a non-federal world republic in which states would merge and dissolve, and that Kant opted for a loose league because he regarded this ideal to be unachievable. In his 1995 essay on Kant's *Toward Perpetual Peace*, Habermas prefaces his case for transforming the United Nations by a lengthy argument showing that Kant's own theoretical commitments should have led him to argue for a federative state of states with coercive powers.¹² Reforms to the UN are to be brought about through a voluntary transformation, and not through the coercion by the most powerful states. Similarly, in a more recent article, Habermas argues that a "world state" (by which he means a global state which supersedes all existing states) is neither possible nor desirable, but that a loose league is insufficient to deal with pressing issues of global concern. Instead, a dynamic array of deliberative democratic processes and institutions, at the national, international, and transnational levels, is required to enable legitimate and binding regulation on matters of global concern.¹³ Habermas offers a richer set of political and legal structures than Kant. But on my reading of Kant, they in fact share a fundamental point of agreement in Habermas' thesis that the existing states should not be dissolved in a hegemonic world state

but integrated into a global federative constitutional framework involving a reformed United Nations.¹⁴

In fact, as Habermas emphasizes, a significant movement in this direction has been underway for at least a century.¹⁵ There has been an increase in multi-national alliances and new international organizations designed to meet global challenges regarding the environment, the global economy, migration, terrorist threats, and crimes against humanity. He writes that there is no guarantee that this process will continue and that the requisite form of global governance will be realized, but he stresses that the progress to date shows that it is not impossible.

Whether these developments will continue, whether the global political institutions that emerge will have the appropriate democratic character, and how far the process can go, Habermas regards as impossible to predict. This will depend on “learning processes” on the part of national governments and populations, mediated by public spheres at the national and global levels. It is possible that populations will come to endorse cosmopolitan ideals, that they will come to see themselves as members of a global political community, and that they will become motivated to promote further development of international law and the global rule of law. In a similar manner to Kant, Habermas regards this as not merely a matter of political reform at the level of international and transnational institutions, but also as requiring the development of the corresponding self-understanding on the part of the populations of states. A genuine global legal order requires support not just from states but also from their citizens, who regard themselves as members of a cosmopolitan world order, and who understand themselves as members of a community of global solidarity.¹⁶

Habermas defends a model of the international rule of law that is more pluriform than Kant’s. Informed by developments in international politics, Habermas envisions a broad array of regulatory structures, whereas Kant spoke only of the development of an international federation of states and a regime of cosmopolitan right. But both combine their advocacy of just legal and political structures with a strong emphasis on the importance of supporting normative convictions on the part of states and their citizens.

On the common interpretation of Kant as a defender of a merely non-coercive loose league, his theory looks obsolete or reactionary. More than two centuries after Kant’s death, a league of states now exists which comprises the vast majority of states on the globe. The United Nations

certainly has its problems, as Kant expected it would, but it can also boast some important successes. Furthermore, in significant respects, the states in the world have already entered into more binding structures (as indicated, for example, by institutions such as the International Criminal Court and the World Trade Organization, and the fact that states can now be punished for violating human rights). On the interpretation of Kant as opposed to anything stronger than a loose league, he would have had to condemn these developments. By contrast, if my interpretation is correct, Kant's view is that such developments are to be welcomed, provided they satisfy the conditions of right. His international political philosophy, then, continues to address current questions regarding the proper make-up of international and transnational institutions and the proper processes by which to realize them.

6 COSMOPOLITAN EQUALITY AND THE PLURALITY OF STATES

The philosophical debate on global justice is currently dominated by an important disagreement between Rawls and a group of critics generally referred to as the “cosmopolitan” camp.¹⁷ Both sides in the debate are rooted in the Kantian tradition, broadly conceived, which raises the question of exactly what their disagreements are about, and how their respective positions relate to Kant's own.

In current debates on global justice, the term “cosmopolitan” is often taken to refer to the position that gives priority to individual moral claims of justice over the claims of states. This position belongs to the Rawlsian tradition of theorizing justice, but it is critical of Rawls, especially of his account in *The Law of Peoples*. In particular, he is criticized for his refusal to introduce normative principles to mitigate inequalities at the global level. Whereas Rawls endorses the importance of well-ordered peoples (as states), many of his critics view the role of states as very problematic.

In the *Theory of Justice*, Rawls restricts the search for principles of justice to the domain of a single society, using the famous thought experiment of the “original position.” Roughly, in the hypothetical situation of the original position, free and equal parties select the basic principles of a society in which they are to live, but without knowledge of their own

particular situation and characteristics. In this way, the principles selected are selected rationally and impartially, and they can count as just.

In *The Law of Peoples*, Rawls adapts the thought experiment of the original position for the purposes of international political theory. He here uses it to select just principles to govern the interactions between “peoples” (in the political sense of the term). This second original position features representatives of peoples, not individuals. According to Rawls, the principles that peoples would endorse as principles to regulate their interactions in a just manner, that is, the principles resulting from the thought experiment, roughly correspond to the principles of current international law.

A number of Rawls’ readers are critical of the way in which he construes the second original position in *The Law of Peoples*. His “cosmopolitan” critics assert that instead of constructing an original position in which the representatives of *peoples* deliberate, Rawls should have applied the first original position globally among *individuals*, as the procedure for directly identifying principles of justice to govern humanity at large. This would have yielded principles of justice that would require global political institutions such as the UN to be much more responsive to the rights and needs of individuals around the world, instead of primarily serving the interests of member states.^{[18](#)}

Furthermore, the “cosmopolitans” also criticize Rawls for theoretical complacency in the face of excessive global inequality and poverty. This is because he denies that peoples have an obligation to reduce inequality as such, and he rejects the ideal of a strong international political institution that could effectively coerce states so as to bring about a more just distribution of wealth between states. As Andrew Kuper, who advocates replacing a Rawlsian Law of Peoples with what he calls a “cosmopolitan Law of Persons,” puts it: “[B]y placing states ... at the center of his ideals of justification and justice, Rawls erroneously prioritizes group identities and national citizenship over individual moral claims.”^{[19](#)}

The *Law of Peoples* contains an explicit reply to this “cosmopolitan” line of criticism. Here Rawls insists on the fundamental difference between such a view and his own. He argues that the “cosmopolitan” view wrongly requires an open-ended concern with regulating inequality among peoples.^{[20](#)}

Rawls' response to his critics has had the effect, however, of further entrenching a widespread but quite mistaken impression: that he has a rather minimalist conception of the duties of assistance that peoples have toward each other. In fact, the requirements that Rawls lists are much more demanding than the critics would lead one to believe. According to Rawls, "well-ordered peoples" not only have the duty to assist "burdened societies," that is, to assist societies that live under unfavorable conditions, such as poverty or a history of colonialism, that prevent their having well-ordered political and social regimes, they also have a number of other demanding duties that are much less widely recognized. Rawls argues that they also have obligations to relieve or "correct" what he calls the "unjustified inequalities among peoples" that emerge out of trade when background conditions are not fair (42–43). Furthermore, they have duties of mutual assistance in cases of hardship such as famine or drought (38). Finally, Rawls even claims that the Law of Peoples requires that the basic needs of all people in all decent and liberal societies are met, insofar as possible. The principles of the Law of Peoples, he writes, include "insofar as it is possible, provisions for ensuring that in all reasonable liberal (and decent) societies people's basic needs are met" (38). These provisions are to "specify duties of assistance" explicitly aiming at "economic means," among other things (38). Add to this list Rawls' discussion of the duties of well-ordered peoples toward the populations of "outlaw states," and the well-ordered societies' list of duties of assistance turns out to be quite substantial.

In other words, on the substance of duties of assistance, there is much more agreement between Rawls and his critics than is usually acknowledged. This agreement is clouded, however, by their disagreement on a quite different question. This is the question whether or not to strive for global socio-economic *equality* (or limiting inequality) as an aim in itself. Rawls believes that once the listed duties of assistance are discharged and background conditions are just, there is no *further* duty to decrease inequality as such. That is to say, once trade is fair, once all societies have been able to become at least decent (if not liberal), once people's basic needs have been met so that they are in a position to genuinely take advantage of the rights, liberties, and opportunities of their society, and once accidental hardships are standardly met with aid, any remaining

inequalities can be presumed to be in accord with justice. Here Rawls is in general agreement with Kant's view as reconstructed in [Chapter 5](#).²¹

There are, on Rawls' view, at least three reasons why inequality under such circumstances is not necessarily problematic. For one thing, he stresses that different peoples may autonomously make different choices that lead to material inequality between them, and in such cases there is no obligation, on the part of wealthier nations, to support poorer ones. Rawls' argument is roughly the following: if one people, say the Dutch, desire leisure time and forgo higher wages because they wish to work fewer hours, and if another people, for example the citizens of the United States, choose to work more hours in order to earn more pay, the US Americans do not subsequently incur an obligation to support the Dutch if they become wealthier as a result. If this was a free decision on the part of the Dutch, they bear the full responsibility. Rawls' concern is with combating *unjust* inequality and its effects such as poverty, not with combating inequality *per se*.

Second, Rawls believes that the vast differences between peoples with regard to the natural resources they can draw on do not necessarily constitute a reason for redistribution. More decisive for a people's standard of living is its political culture (117). Whether Rawls is right in this empirical claim may be hard to establish, but it is beyond doubt that among the world's poorest countries, there are many that are well-endowed with natural resources. Conversely, some countries that lack substantial natural resources do very well (Rawls mentions the example of Japan, 108).

Third, Rawls includes stricter obligations to regulate social and economic inequalities among individuals within domestic society (than those he endorses within international society) because the social interaction within domestic society is regulated by coercive laws whereas that within international society is not. In a loose society of peoples, a difference principle could not be institutionalized. Rawls' rejection of the difference principle at the international level is directly tied to his view of the "society of peoples" as a rather loose form of organization.²²

Kant's position with regard to the regulation of global inequality is clearly closer to Rawls' than to that of the "cosmopolitan" critics. As detailed in [Chapter 5](#), Kant regards socio-economic inequality as unproblematic if it has arisen within a context of background conditions that are just. He criticizes unjust inequalities, for example, those that are the

result of hereditary privileges, but not inequality as such. He praises the positive effects of rivalry and competition and regards these as naturally connected with material inequality. Rawls is more egalitarian than Kant, because Rawls argues that within domestic society, inequality should be limited by the difference principle, and there is nothing comparable in Kant's texts. Kant presents an argument in favor of the relief of *poverty* through taxation, but he does not argue for a reduction of *inequality* within the republic, other than a reduction of *unjust* inequality. Moreover, Rawls formulates a demanding list of the duties of well-ordered peoples toward each other and toward other societies. Although the building blocks for a similar list can be found in Kant's work, Kant himself does not articulate it.

This disagreement regarding inequality between Rawls and Kant, on the one hand, and the "cosmopolitans," on the other, is connected to a basic disagreement on the importance of states. The "cosmopolitans" emphasize the problematic aspects of the existing state system and highlight its role in the perpetuation of global poverty and inequality.²³ Instead of proposing ways to improve states internally, however, they tend to propose alternative political models in which power is more dispersed or partly transferred to a supranational institution. Rawls and Kant, by contrast, emphasize the importance of the political self-determination of individuals as citizens of republican or liberal states. They argue, each in his own distinctive way, that the internal improvement of political structures and processes within states will have positive effects for global justice.²⁴ Because they view the ideal state as the embodiment of the political autonomy of citizens, they can claim that their political theory, rather than prioritizing groups over individuals, actually represents a way of making individual political autonomy compatible with world citizenship. It does this by conceiving of states as ideally internally organized in accordance with principles of justice and as simultaneously part of a just cosmopolitan world order.

7 ON DEFINING COSMOPOLITANISM

The preceding chapters have shown that the tree of cosmopolitanism has many branches. It has more branches than are described in existing taxonomies, for example, in taxonomies that are built on the distinction between moral and political cosmopolitanism, or between cosmopolitanism

of justice and cosmopolitanism of identity, or between strong and weak or strict and moderate cosmopolitanism.²⁵ These distinctions are all very useful; but there are many more to be drawn. We have encountered moral, political, cultural, economic, and religious versions of cosmopolitanism, and each of these branches forks many times. There are not merely strong and weak versions of the same views, but also philosophical approaches entirely different in nature as well.

This should not be taken to mean that the concept of cosmopolitanism is hopelessly confused. We should neither expect nor desire to settle on one meaning as *the* meaning of an idea that has been interpreted differently ever since its earliest use by the Cynics and Stoics.

But it does mean that we cannot define cosmopolitanism in terms of a specific substantive philosophical position. For example, cosmopolitanism is often defined in terms of a commitment to the equal moral status of all human beings.²⁶ This definition would exclude Wieland, the very person who sparked the German debate over cosmopolitanism in the first place (see [Chapter 1](#)). His moral cosmopolitanism, built around a distinction between world citizens and world inhabitants, would not count as such under most current definitions. It is easy to explain, though, why equality is not a necessary element of the notion of world citizenship. This is because the notion of the *polis* itself is not necessarily egalitarian. If one's political theory is not egalitarian, then conceiving of the world "as one state" is not likely to result in an egalitarian conception of world citizenship.

Similarly, if one regarded as the defining characteristic of cosmopolitanism the view that humanity forms or should form a single all-encompassing community that should be cultivated, this would exclude some of the Cynic "negative" conceptions of cosmopolitanism that involve the individualist denial of local attachments rather than the positive endorsement of a broader community.

Finally, a definition that insists on taking "world citizenship" *literally* would exclude many theories commonly regarded as cosmopolitan, because the term is often used in a metaphorical sense. If world citizenship had to be taken literally and connected to individuals, the only genuine cosmopolitan theory would be a theory such as the one advocated by Cloots, who, as the right-hand man to Robespierre and a leading figure in the French war effort, aimed to turn the "formerly-French" republic into a republic of the united individuals of the world. Some international federalist conceptions of

cosmopolitanism, however, conceive of states as world citizens. In other words, even when taken in a literal, political sense, world citizenship can be understood in different ways. The number of possible cosmopolitanisms multiplies even further, of course, as soon as the idea is used metaphorically.

Rather than attempting to craft a substantive definition of cosmopolitanism, which would either exclude important theories that are widely regarded as falling under the concept or be so vague as to be uninformative, it is better to draw the appropriate distinctions and to acknowledge that there is a plurality of approaches that are justifiably called cosmopolitan. They all use the idea of world citizenship in some significant way, even though there is not an identifiable philosophical commitment that they all share. What is currently called “cosmopolitanism” in debates about global justice is an important member of this group, but it is only one among many others.

8 CONCLUSION

Contemporary debates would be significantly enriched by recognizing a more nuanced and more varied set of conceptions of cosmopolitanism. I say “more nuanced” because the discussion of late eighteenth-century German conceptions of world citizenship has introduced a number of distinctions that show that cosmopolitan positions are often compatible with – and on some conceptions even entail – particular types of patriotism; that some are compatible with considerable cultural pluralism; that they can be combined with a variety of views regarding the regulation of international trade; that they can be compatible with – and sometimes even require – a plurality of states, and that they may entail different positions on global political institutions; and that cosmopolitanism need not disdain feelings of attachment or be construed as antithetical to ordinary human psychological propensities. I say “more varied” because if one adds this all up, the number of recognizably cosmopolitan positions is large indeed.

I have argued at many points in this book that important aspects of Kant’s position have been misunderstood. Kant did not deny that citizens have special obligations to their own state. He did not defend a mere voluntary league of states on the basis of an inconsistent capitulation to realism. He

was neither an incorrigible racist nor a completely consistent egalitarian. He did not defend free trade as an intrinsic ideal. He did not repudiate feelings of attachment. The significance of these and other misunderstandings of Kant's positions is not merely historical. His work still contributes to current debates, and so it is important to establish what his positions were and which arguments supported them.

On the account I have presented here, Kant's mid-1790s cosmopolitan theory is itself more nuanced than is usually recognized. Kant combines his defense of the ideal of a cosmopolitan moral community with an argument that the citizens of a republic have an imperfect duty of civic patriotism. He defends the establishment of a voluntary league of states with an eye to the gradual emergence of a federation of republics with coercive force, while attributing great importance to the political autonomy of peoples. He argues that cosmopolitan right should govern the interactions of states and foreigners anywhere on earth, and he holds that there is one moral principle that is valid for all humans, yet his theory also allows for attributing genuine value to cultural pluralism. He defends the feasibility of his cosmopolitan ideal in terms of human nature as we know it, and he insists on there being grounds for hope even in the face of evil. These features are not examples of indecisiveness or confusion, but integral parts of a rich conception of cosmopolitanism.

- 1 For a good overview of the status of Kant's theory of international and cosmopolitan right in current debates, see Oliver Eberl, *Demokratie und Frieden: Kants Friedensschrift in den Kontroversen der Gegenwart* (Baden-Baden: Nomos, [2008](#)), 87–182.
- 2 *Weekblad van het regt* 4917, August 7, 1883, 1.
- 3 Richard Rorty, *Feminism and Pragmatism: The Tanner Lectures on Human Values*. Delivered at the University of Michigan, December 7, [1990](#), 5, n.6.
- 4 For further discussion and examples, see my essay, "The Problematic Status of Gender-Neutral Language in the History of Philosophy: The Case of Kant," *The Philosophical Forum* 25 (1993): 134–50.
- 5 Paul Gomberg, "Patriotism is Like Racism," *Ethics* 101 ([1990](#)): 144–50.

- [6](#) Martha Nussbaum, “Patriotism and Cosmopolitanism,” in Martha C. Nussbaum *et al.* *For Love of Country: Debating the Limits of Patriotism*, ed. Joshua Cohen, revised edn. (Boston: Beacon Press, [2002](#)), 3–17; Kok-Chor Tan, *Justice without Borders: Cosmopolitanism, Nationalism, and Patriotism* (Cambridge University Press, [2004](#)); Anna Stilz, *Liberal Loyalty: Freedom, Obligation, and the State* (Princeton University Press, [2009](#)); Igor Primoratz, “A Different Kind of Patriotism,” *Res Publica* 13 ([2004](#)): 1–5; Gillian Brock, *Global Justice: A Cosmopolitan Account* (Oxford University Press, [2009](#)), esp. chapter 11.
- [7](#) Igor Primoratz argues for an “ethical patriotism” on the basis that one is often best placed to promote morality in one’s own country, and on the basis of considerations of collective moral responsibility and democratic citizenship. Primoratz admits that none of these three arguments yield a duty on the part of all citizens to have special concern for their own state, but only in combination with certain contingent empirical circumstances (that one is in fact best placed, etc.). Igor Primoratz, “A Different Kind of Patriotism.”
- [8](#) Brock, *Global Justice*, 15.
- [9](#) Thomas Mertens, “From ‘Perpetual Peace’ to the ‘Law of Peoples’: Kant, Habermas and Rawls on International Relations,” *Kantian Review* 6 ([2002](#)): 60–84.
- [10](#) John Rawls, *The Law of Peoples* (Cambridge, MA: Harvard University Press, [1999](#)), 36. It is striking how often Rawls writes that he is “following Kant’s lead,” endorsing what he sees as Kant’s rejection of world government (36) and the argument for the *foedus pacificum* (e.g., 10, 19, 21, 22, 54).
- [11](#) See [Chapter 2](#), especially section 3.
- [12](#) Jürgen Habermas, “Kant’s Idea of Perpetual Peace, with the Benefit of Two Hundred Years’ Hindsight,” in *Perpetual Peace: Essays on Kant’s Cosmopolitan Ideal*, ed. James Bohman and Matthias Lutz-Bachmann (Cambridge, MA: MIT Press, [1997](#)), 113–53, here 114–26.

- [13](#) Jürgen Habermas, “Does the Constitutionalization of International Law Still Have a Chance?” in *The Divided West*, trans. Ciaran Cronin (Cambridge: Polity Press, [2006](#)), 115–93; “A Political Constitution for the Pluralist World Society?” in *Between Naturalism and Religion: Philosophical Essays*, trans. Ciaran Cronin (Cambridge: Polity Press, [2008](#)), 312–52; “The Constitutionalization of International Law and the Legitimation Problems of a Constitution for World Society,” in *Europe: The Faltering Project*, trans. Ciaran Cronin (Cambridge: Polity Press, [2009](#)), 109–30; Ciaran Cronin, “Cosmopolitan Democracy,” in *Jürgen Habermas: Key Concepts*, ed. Barbara Fultner (Durham: Acumen, [2011](#)), 196–221.
- [14](#) On the necessity of combining accounts of domestic justice and transnational justice, see Rainer Forst, “Towards a Critical Theory of Transnational Justice,” in *Global Justice*, ed. Thomas W. Pogge (Oxford: Blackwell, [2003](#)), 169–87.
- [15](#) See Habermas, “The Constitutionalization of International Law,” 110–11.
- [16](#) Habermas, “The Constitutionalization of International Law.”
- [17](#) See also Alyssa Bernstein, “Kant, Rawls, and Cosmopolitanism: Toward Perpetual Peace and *The Law of Peoples*,” *Jahrbuch für Recht und Ethik/Annual Review of Law and Ethics* 17 ([2009](#)): 3–52, for a detailed discussion of the points of agreement between Rawls and Kant, and their differences with the cosmopolitans’ reading of Rawls.
- [18](#) See Charles R. Beitz, *Political Theory and International Relations* (Princeton University Press, [1979](#)); Andrew Kuper, “Rawlsian Global Justice: Beyond *The Law of Peoples* to a Cosmopolitan Law of Persons,” *Political Theory* 28 ([2000](#)): 640–74; Andrew Kuper, “More Than Charity: Cosmopolitan Alternatives to the ‘Singer Solution’,” *Ethics and International Affairs* 16 ([2002](#)): 107–20; Thomas W. Pogge, “An Egalitarian Law of Peoples,” *Philosophy and Public Affairs* 23 ([1994](#)): 195–224.
- [19](#) Kuper, “More than Charity,” 115; see also Kuper, “Rawlsian Global Justice.”

- [20](#) Rawls, *Law of Peoples*, 113–20.
- [21](#) An exception has to be made for the status of “decent societies,” which has no parallel in Kant’s system of right.
- [22](#) This point is well argued by Joseph Heath, “Rawls on Global Distributive Justice: A Defence.” *Canadian Journal of Philosophy Supplementary Volume* 31, ed. Daniel Weinstock (Lethbridge: University of Calgary Press, [2007](#)), 193–226.
- [23](#) See, for example, Darrel Moellendorf, *Cosmopolitan Justice* (Boulder, CO: Westview Press, [2002](#)), and Thomas W. Pogge, *World Poverty and Human Rights* (Oxford: Polity Press, [2002](#)), chapter 5, 129–39.
- [24](#) For an additional argument critical of the “cosmopolitan” position, to the effect that taking powers away from the state may not lead to improvement but may actually worsen power imbalances between pre-colonial and post-colonial states, see Katrin Flikschuh, “Kant’s Sovereignty Dilemma: A Contemporary Analysis,” *Journal of Political Philosophy* 18 ([2010](#)): 469–93.
- [25](#) For some useful distinctions, see Thomas W. Pogge, “Cosmopolitanism and Sovereignty,” *Ethics* 103 ([1992](#)): 48–75; Samuel Scheffler, “Conceptions of Cosmopolitanism,” reprinted in *Boundaries and Allegiances: Problems of Justice and Responsibility in Liberal Thought* (Oxford University Press, [2001](#)), 11–130; Nigel Dower, *The Ethics of War and Peace: Cosmopolitan and Other Perspectives* (Cambridge: Polity Press, [2009](#)), 61–65.
- [26](#) See, for example, the contributions in Harry Brighouse and Gillian Brock, eds., *The Political Philosophy of Cosmopolitanism* (Cambridge University Press, [2005](#)); and Thomas Pogge, “Cosmopolitanism,” in *A Companion to Contemporary Philosophy*, ed. Robert E. Goodin and Philip Pettit (Oxford: Blackwell, [2007](#)), 312–31, here 312.

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